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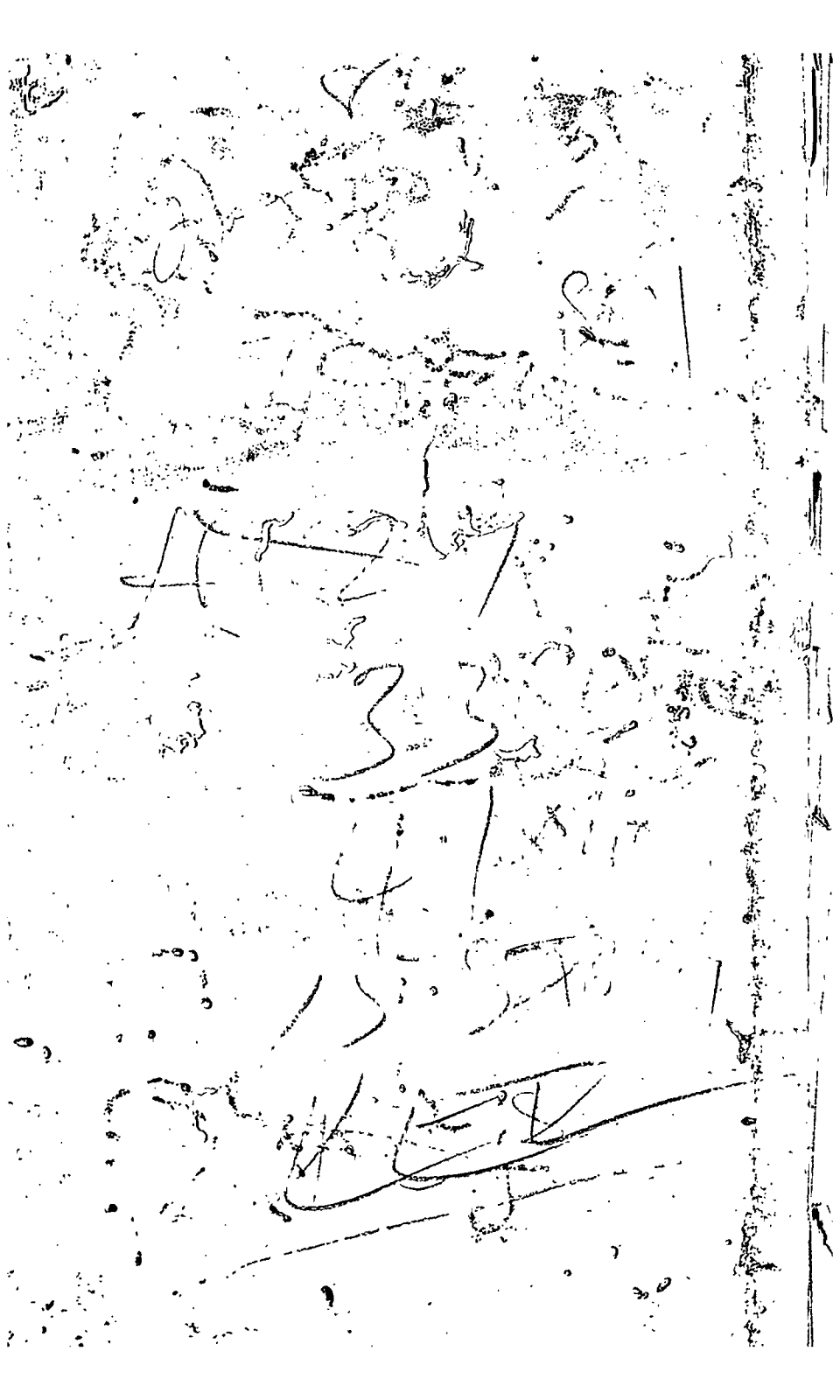

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VINDICATION

OF

"*The Book of the Roman Catholic Church,*"

AGAINST

THE REVEREND

GEORGE TOWNSEND'S

"*Accusations of History against the Church of Rome:*"

WITH

NOTICE OF SOME CHARGES BROUGHT AGAINST "THE BOOK OF THE ROMAN CATHOLIC CHURCH," IN THE PUBLICATIONS OF DOCTOR PHILLPOTTS, THE REV. JOHN TODD, M.A. F.S.A. THE REV. STEPHEN ISAACSON, B.A. THE REV. JOSEPH BLANCO WHITE, M.A. B.D.

AND IN SOME ANONYMOUS PUBLICATIONS.

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BY CHARLES BUTLER, ESQ.

WITH COPIES OF

DOCTOR PHILLPOTTS'S FOURTH LETTER TO MR. BUTLER,

Containing a CHARGE *against Dr.* LINGARD;

AND OF

A LETTER OF DOCTOR LINGARD TO MR. BUTLER,

In REPLY *to the Charge.*

LONDON:

JOHN MURRAY, ALBEMARLE-STREET.

M.DCCC.XXVI.

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"I DO NOT HOLD, THAT THE ROMAN CATHOLIC RELIGION IS ONE WHICH ENJOINS DISLOYALTY:

"I DO NOT HOLD THE MAXIM, THAT FROM THEIR SCRUPLES ABOUT THE OATH OF SUPREMACY THEY ARE A DISLOYAL PEOPLE:

"I DO NOT HOLD, THAT THEY MAINTAIN ANY SUCH TENET, AS THAT THE POPE MAY DEPOSE PROTESTANT PRINCES, OR ABSOLVE CATHOLIC SUBJECTS FROM ALLEGIANCE TO THEM; OR THAT NO FAITH IS TO BE KEPT WITH HERETICS, OR PERSONS OF A DIFFERENT RELIGIOUS PERSUASION FROM THEMSELVES."

(Extract from the Speech of the Rt. Rev. Dr. Horsley, Bishop of St. Asaph, on the 10th May 1805; p. 131. —Printed for Cuthell & Martin.

Luke Hansard & Sons,
near Lincoln's-Inn Fields, London

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LETTER

TO

CHARLES BLUNDELL, ESQ.:

Containing the Titles of the Works written in reply to "the Book of the Roman Catholic Church;"—and Remarks on some Passages in them.

DEAR SIR,

IF a multitude of Answers to a work be a proof of its merit, "the Book of the Roman Catholic Church" has pretensions to be thought meritorious. Within a short time after it issued from the press, several answers to it appeared, and parts of it were commented upon in several other publications. I long hesitated on the plan which I ought to adopt in answering them. To answer each regularly and minutely, would make it necessary for me to write as many books as there were answers. This my occupations and time of life,

Quindecimûm trepidavit ætas
Claudere lustrum, HORACE.

rendered quite impossible. I therefore determined to write a full reply to such one of my answerers as had made most objections to my work, and urged

them most strongly; to reply to such other of the objections as should seem to me to call for particular notice; and to leave the rest for future discussion.

The first part of the plan, I have executed in my letters to Mr. Townsend: The second, in the letter which I have now the honour to address to you. I shall mention in it the titles of all the works to which Doctor Southey's "BOOK OF THE "CHURCH" has given rise, and occasionally advert to some passages in them. In the last number of the Quarterly Review, it is called "a splendid controversy:—peace and praise to us all!"

You will see, after my last letter to Mr. Townsend, a transcription of Dr. Phillpotts's letter to me, on a passage in a work published 17 years ago by Dr. Lingard; and a letter in reply to it, which Dr. Lingard has done me the honour to address to me. I am sure you will read it with great satisfaction.

I.

THE BOOK OF THE CHURCH. BY ROBERT SOUTHEY, ESQ. LL.D. POET LAUREATE, HONORARY MEMBER OF THE ROYAL SPANISH ACADEMY, OF THE ROYAL SPANISH ACADEMY OF HISTORY, OF THE ROYAL INSTITUTE OF THE NETHERLANDS, OF THE CYMMRODORION, OF THE MASSACHUSETS HISTORICAL SOCIETY, OF THE AMERICAN ANTIQUARIAN SOCIETY, OF THE ROYAL IRISH ACADEMY, OF THE BRISTOL PHILOSOPHICAL AND LITERARY SOCIETY, &c. 8vo. 2 VOLUMES, SECOND EDITION, 1824. MURRAY.

II.

STRICTURES ON THE POET-LAUREATE'S "BOOK OF "THE CHURCH." BY JOHN MERLIN. 8vo. 1825. KEATING & BROWN.

III.

A LETTER ADDRESSED TO THE AUTHOR OF THE BOOK OF THE ROMAN CATHOLIC CHURCH. BY APOSTOLICUS. 8vo. 1825. BAIN.

I CANNOT give you a better account of this work than by transcribing the author's preface:—"The "Roman Catholic writers of the present day have "a two-fold object in view, the advancement of "their political interests, and the re-establishment "of their fallen hierarchy. To the first I have "no objection. The latter I regard with that in-"stinctive aversion, which must be felt by every "one that has contemplated the pure and glorious "fountain of light and truth, at the bare mention "of the triumph of darkness and superstition."

Upon this I only observe, that the *Irish* Roman Catholics have never lost their hierarchy, and that the *English* are perfectly satisfied with the vicarial prelacy, by which they are now governed.

IV.

THE REFORMATION AND THE PAPAL SYSTEM: REMARKS ON TWO LETTERS UPON THESE SUBJECTS IN THE BOOK OF THE ROMAN CATHOLIC CHURCH, 8vo. 1825. LONGMAN, HURST, REES, ORME, BROWN, AND GREEN, PATERNOSTER ROW; AND T. TAYLOR, LIVERPOOL.

ABLY and politely written: the chief object of the author is to shew the civil and religious blessings,

which this country has acquired by the reformation. With this view, he discusses the six points proposed for consideration in the 12th Letter in "the Book of the Roman Catholic Church." Those, who wish to decide upon this part of the subjects in discussion between Doctor Southey, and the author of "the Book of the Roman Catholic Church," should peruse this work attentively. An outline of it appeared in some letters in a Liverpool newspaper, under the signature of *Libra*.

The author particularly animadverts upon the reflections in "the Book of the Roman Catholic Church" on *Martin Luther* and *Theodore Beza*.

With respect to *Luther*, I am fully sensible that when Luther wrote with coolness and deliberation, he wrote well. Some of his letters, in the controversy between him and Erasmus, shew great clearness of perception, command of language, and power of composition. But, when Luther did not moderate his genius, his works were often filled with brutality, grossness and arrogance. This I have mentioned, but have not, I believe, exaggerated, in my Letters to Doctor Southey. It is remarkable that Luther, confessedly the most violent of the reformers, receded less than any from the Roman Catholic church.

With respect to *Beza*, the writer has convinced me, that, in bringing forward, in the manner done by me, the blameable verses of that reformer, I did wrong. Searches in the British Museum, to which the work in question led me, have convinced me, 1st, That they were published by Beza in his

16th year, before he embraced, at least openly, the reformed religion; 2dly, That he never afterwards republished them; 3dly, and that he professed publicly his repentance of having published them. Man, after this, has no right to reproach Beza with them.

V.

'TWO LETTERS ADDRESSED TO THE AUTHOR OF "THE BOOK OF THE ROMAN CATHOLIC CHURCH, "UPON CERTAIN PASSAGES IN HIS BOOK, AND "SHEWING, FROM HIS OWN EXPOSITION OF THE "ROMAN CATHOLIC CREED, THE INADMISSIBILITY "OF ROMAN CATHOLICS INTO THE LEGISLATURE "AND GOVERNMENT OF PROTESTANT ENGLAND. "BY A LAY MEMBER OF THE UNIVERSITY OF "OXFORD. PP. 168. 8VO. HATCHARD AND "SON."

THIS work is written with elegance, method and perspicuity. Many of the author's criticisms deserve observation; I shall confine myself, at present, to his general charge against "the Book of "the Roman Catholic Church." "I could have "wished," he says, "that your Book had fully "answered to its title; and instead of contenting "yourself with pointing out some inaccuracies in "Doctor Southey's Historical Narrative, and "charging him with want of candour, sincerity or "fair argument, (without yourself taking sufficient "care to avoid these faults), attempting to disprove "some things, which can never be freed from "doubt, and to extenuate or excuse facts, which

"had far better be passed *sub silentio*, because "they admit of no satisfactory extenuation or "excuse; and worse than all, meeting his his- "torical details of human ambition, hypocrisy, "depravity and cruelty, *with recriminations and* "*counter-charges*,—that you had addressed your "great talents to the pith and marrow of the sub- "ject, and have devoted yourself to prove, that "the Roman Catholics *of the present times are*, "by their creed, their dogmas, their priesthood, "and their ecclesiastical discipline and institutions, "as trust-worthy governors and legislators for "these kingdoms as Protestants themselves."

But is not the plan adopted in "The Book "of the Roman Catholic Church," the only plan which I could adopt to do justice to my cause? Dr. Southey had reviled the Roman Catholic religion in the strongest terms; had called it "a pro- "digious structure of imposture and wickedness;" had asserted that the Popery, as he terms it, of the Roman Catholics corrupts their moral and civil principles, and renders their allegiance unsound. To vindicate my religion, my brethren in faith, and myself, against these heinous charges, it was incumbent upon me to render an account of her faith. With this view, I mentioned three works, in which it is unfolded in a manner suited to the different capacities of readers; "The Catechism of "the Council of Trent,"—"Bossuet's Exposition "of Faith,"—and "Bishop Challoner's Summary "of Christian Doctrine." I prefixed to my work

the Profession of Faith of Pope Pius IV.; and, in a separate chapter, stated in the words of the Council of Trent, such doctrines of our creed as the Profession of Pius had described by reference to that Council. All other doctrines I averred to be no part of our creed; and explicitly repudiated all obligation of believing them. What better could I have done to show the real tenets of the moral, civil and religious creed of my church? or to repel the charge that we are not trustworthy governors and legislators for Protestant England?

As to recrimination;—speaking generally, it is a sorry mode of argument, but it is unavoidable in some cases; in mine, it could not be avoided. Dr. Southey averred in the strongest language, that the lawfulness of religious persecution, was a principle of our church; and professed to prove it by producing instances, in which Catholics had been guilty of it. To disprove it, after disclaiming the tenet in the strongest manner, and shewing the explicit disclaimers of it, by Catholics, I produced instances equally numerous and equally unjustifiable, of Protestant persecutions. I then called on Dr. Southey to assign one good reason, why the criminality of Catholics, in the instances produced by him, should be charged on the Catholic creed or ascribed to Catholic principles, if the equal criminality of Protestants, in the instances cited by me, should not be equally chargeable on their creed or ascribable to their religious principles.

This is the only recrimination which I have used, and Dr. Southey evidently drove me to it.

Most sincerely do I wish, all such recriminations, all such aspersions, all harshness of every kind, were at an end. I flatter myself that in all my writings, even in that which is now presented to you, a single word that offends against charity or civility cannot be found. I must again repeat the words of St. Francis, of Sales, that "a good Christian is never outdone in good manners." "We have solemnly protested," say the Roman Catholics, in their address of 1817,* "and do "again solemnly protest, against all intemperate "language, all rancorous and illiberal invectives, "all harsh and insulting expressions. We bear no "animosity to individuals of any communion, sect "or party; we embrace all our countrymen and "fellow citizens, as friends and brethren, and most "sincerely do we wish to see all united in the participation of every right, and every blessing, "which we solicit for ourselves."

VI.

PRACTICAL AND INTERNAL EVIDENCE AGAINST CATHOLICISM, WITH OCCASIONAL STRICTURES ON MR. BUTLER'S BOOK OF THE ROMAN CATHOLIC CHURCH; IN SIX LETTERS, ADDRESSED TO THE IMPARTIAL AMONG THE ROMAN CATHOLICS OF GREAT BRITAIN AND IRELAND. BY THE REV.

* Historical Memoirs of English, Irish and Scottish Roman Catholics, Vol. IV. p. 20.

JOSEPH BLANCO WHITE, M. A.; B. D. IN THE UNIVERSITY OF SEVILLE; LICENTIATE OF DIVINITY IN THE UNIVERSITY OF OSUNA; FORMERLY CHAPLAIN MAGISTRAL (PREACHER) TO THE KING OF SPAIN, IN THE ROYAL CHAPEL AT SEVILLE; FELLOW AND ONCE RECTOR OF THE COLLEGE OF ST. MARY A JESU, OF THE SAME TOWN; SYNODAL EXAMINOR OF THE DIOCESE OF CADIZ; MEMBER OF THE ROYAL ACADEMY OF BELLES LETTRES OF SEVILLE, &c. &c.; NOW A CLERGYMAN OF THE CHURCH OF ENGLAND; AUTHOR OF DOUBLADOS LETTERS FROM SPAIN. MURRAY.

VI. 1.

THIS Rev. gentleman in the postscript to his second Letter (p. 67), calls on his readers to compare the last article of my translation of Pope Pius's Creed with the original. My Translation is thus expressed:—"This true Catholic faith, out "of which none can be saved, which I now freely "profess and truly hold, I. N. promise, vow and "swear, most constantly to hold and profess the "same, whole and entire to the end of my life. "Amen." Here my translation closes:—Mr. Blanco White then transcribes the original of *that* clause, and inserts immediately after it, the following words as belonging to it, but which are not inserted in my translation:—"Atque a meis sub-"ditis, vel illis, quorum cura ad me in munere "meo spectabit, teneri, doceri et prædicari, quan-"tum in me erit, curaturum, ego idem N. spondeo, "voveo et juro." Mr. Blanco White then informs his readers, that he noticed my omission of

the last clause, in the *New Times*. Had I seen the notice, it would have put me upon inquiry; but Mr. Blanco White's book conveyed to me the first notice I had of his discovery.

My copy of the Creed is a transcription of that, which the late Dr. Challoner prefixed to his "Grounds of the Catholic doctrine, as contained "in the profession of faith published by Pope "Pius IV."—first published about 50 years ago, and now in its 12th edition. Doctor Challoner also has prefixed it to his edition of the Catholic Prayer Book, entitled "The Whole Manual." The words in question are omitted in both. An English version of the Profession of Faith, with the same omission, is also inserted in the *Ordo Administrandi sacramenta*, published under the sanction of the Catholic Prelates in this country, for the use of the English Catholic mission.

But the passage in question, is inserted in the Profession of Faith in the *Bullarium of Cherubrinus*, the *Bullarium Magnum*, and in a stereotype edition of the Canons of the Council of Trent, recently published at Paris. I am not apprised of any edition of the original, or of any version of it, except Dr. Challoner's, and the edition in the *Ordo*, from which it is absent.

Upon inquiry of those most likely to be well informed upon the subject, of the probable cause of Dr. Challoner's omission of the passage in his editions of the Profession of Faith Pius IV, I understand, that the clause is always retained, when

the oath is tendered to priests, and always omitted, when the oath is tendered to the laity; and that the latter, (for till lately, priests were very seldom ordained in England), being of most frequent use in this country, Dr. Challoner naturally thought it was most proper to publish the profession in that form. I am confident that Mr. Blanco White is sufficiently informed of the high character of Dr. Challoner for learning, piety and integrity, to attribute his omission of the clause in question, to any sinister motive. Had I been apprised of the insertion of it in the original, I certainly should have given it its proper place in the translation of it which I prefixed to "the Book of the Roman "Catholic Church."

VI. 2.

Mr. Blanco White (page 31, and note A. page 219), finds great fault with my translation of a passage in *Paulus Emilius Veronensis*. There is no end of verbal criticism, and I shall not, on this occasion, engage in it. I still maintain the propriety of my translation. My placing the original immediately under the translation,—as by doing it I furnished means for the instantaneous detection of any error which might have found its way into my translation,—must satisfy every honourable mind, that, if the error charged upon me exists, it was unintentional.

VI. 3.

Mr. Blanco White (page 51) rejoices to find the dogma of intolerance branded in "the Book "of the Roman Catholic Church with the epithet "of *detestable*; but cannot, he says, help wondering that a man, who thus openly expresses "his detestation of that doctrine, should still profess obedience to a see, under whose authority "the inquisition of Spain was re-established in "1814." He then asks, "if Catholics are *so far* "*improved under the Protestant government* of "England, as to be able to *detest* persecution, by "what intelligible distinction do they still find it "consistent to cling to the source of intolerance, "which has inundated Europe with blood, and "still shews its old disposition unchanged whenever "it preserves an exclusive influence."

In answer to these observations, I beg leave to remark, that the passage to which Mr. Blanco White refers, is not the only one in which I have proscribed intolerance. My works, as I mentioned in the dedication to you of "the Book of the "Roman Catholic Church," are numerous, perhaps too numerous: they now fill twelve octavo volumes. Among them, there is not more than one in which I have not, in the most strong and unqualified terms, advocated unlimited civil and religious liberty, or have not, in similar language, reprobated civil and religious intolerance. Of the inquisition, I have uniformly expressed myself in the harshest terms. In a postscript to my Address

to Protestants, published in 1813, and most extensively circulated, I thus express myself:—
"Since this letter was written, I hear, with infinite
"pleasure, that by a legislative decree of the Cortes,
"the Spanish inquisition is utterly abolished. So
"perish every mode of religious persecution, by
"whom or against whomsoever raised!" In my Historical Memoirs of the English, Irish, and Scottish Catholics,* I gave a full account of the abominable process of the inquisition; I say that,
"as a systematic perversion of forms of law to the
"perpetration of extreme injustice and barbarity,
"it holds, among the institutions outraging huma-
"nity, a decided pre-eminence."

"Why then," asks Mr. Blanco White, "do
"Roman Catholics cling to the Pope?"

My answer is that, we do not cling to him in the manner Mr. Blanco White suggests. We acknowledge in him no authority to sanction intolerance; no authority to legislate in any temporal concern; no authority to enforce his spiritual power by any temporal means. A Catholic, without ceasing to be such, may disapprove, may detest, may counteract the attempts of a Pope to establish an inquisition, or any other institution of intolerance. That both states and individuals have acted in this manner, in opposition to the Popes, is well known to Mr. Blanco White. All Austrian, German, Hungarian, Bohemian and French Roman Catholics, unimproved under Protestant government, cling,

* Vol. I. p. 104.

in the manner I have mentioned, to the Pope: not one of these states has allowed the establishment of the inquisition within it. All deny the Pope's authority to depose princes; all deny his temporal power. Can we therefore be said with justice, to cling to the Pope, in the manner in which this expression is constantly used by Mr. Blanco White?

After all, objectionable as the system of the inquisition certainly was, both in theory and practice, can it be said, that it was more objectionable in either than the system of penal law, which was organised and established by the codes of Elizabeth and James? Mr. Blanco White mentions, in affecting terms, the situation, to which his new opinions reduced his mother. I sincerely sympathize with him, and do not feel less indignation against the monstrous code of penal inflictions which occasioned it, than he expresses. But the penal codes of Elizabeth reduced many a mother, who would not inform, in certain cases, against her child, to similar woe. Neither should it be forgotten, that the object of the inquisition was to prevent the introduction of a new, and, as experience showed, a revolutionary religion; the object of Elizabeth's persecutions, was to eradicate the ancient and the actual religion of the country, in direct opposition to the wishes of a large majority of the nation; and, in the case of Ireland, in direct opposition to the acknowledged wish of the whole kingdom.

It sickens me to return to this sad subject. Why

should Mr. Blanco White write a book, the evident tendency of which is to raise popular prejudice against us; to perpetuate the laws under which we suffer; and thus to eternize the depression of a large proportion of his brother men, of his brother Christians; of those, with whom, not many years since, he walked in union, in the house of God?

VI. 4.

Mr. Blanco White has accurately transcribed my version of the canon of the 10th session of the Council of Florence, which defined, that "full power was delegated to the Bishop of Rome, "in the person of St. Peter, to feed, regulate and "govern the universal church, as expressed in "the general councils and holy canons."—"When "I examine," says Mr. Blanco White, (page 33), "the vague comprehensiveness of this decree, I can "hardly conceive what else the Roman Catholics "could be required to believe." *Full power to feed, "regulate and govern the universal church*, can "convey in the mind of the sincere Catholic, no "idea of limitation." But is not a very clear idea of limitation conveyed, by the words, "as ex-"pressed in the councils and holy canons?" To these words, Mr. Blanco White seems, by his subsequent discussion of this passage, to have paid no regard. They denote that the plenitude of power conferred on the Holy See, by the first part of the sentence, is limited by the second to the exercise of it in that manner, which is prescribed by the general

councils and holy canons. Thus the decree of the Council of Florence is explained by Bossuet.*

VI.

Permit me to state succinctly, from an authority which cannot be questioned, the doctrine of the Roman Catholics, respecting exclusive salvation in their church, in opposition to the representation which Mr. Blanco White gives of it (p. 61), and in other parts of his work.

Roman Catholics hold, 1st, that whatever be the religious belief of the parents of a person who

* Defensio "Declarationis Ecclesiæ Gallicanæ, Pars II. "Lib. 6. cap. 12; Pars III. Lib. 11. cap. 10." In the original Greek the expression is stronger than my version of it; and I must observe, that a Protestant translator of this celebrated canon expresses the limitation in question, more strongly than I have done. "We define, that Jesus Christ has given "the Pope, in the person of St. Peter, the power to feed, "to rule, and govern the Catholic church, as it is *explained* in the acts of the Œcumenical Councils, and in the "Holy Canons." ("Dupin's Ecclesiastical History, translated from the French, London, 1699, Fol. Vol. XI. Fifteenth "Century, p. 45.") The expression in the original is stronger than either of the translations. "Καὶ ἀνῶ ἐν τῷ μακαριῷ Πέτρῳ "τοῦ ποιμαίνειν, καὶ δυθυνειν, καὶ κυβερνᾶν τὴν Καθολικὴν ἐκκλησίαν "ὑπὸ τοῦ κυρίου ἡμῶν Ιησου Χριστου πλήρη ἐξουσίαν παραδεδόσθαι, "καθ' ὃν τρόπον καὶ ἐν τοις πρακτικοις των οἰκουμενικων συνόδων, καὶ ἐν "τοῖς ἱεροῖς καινόσι διαλαμβάνεται. Et ipsi in beato Petro pascendi, regendi ac gubernandi universalem ecclesiam a domino nostro Jesu Christo plenam potestatem traditam esse; "quemadmodum etiam in gestis æcumenicorum conciliorum, "et in sacris canonibus continetur." L'Abbe's Councils, Paris Edition, 1672, Tom. XIII. p. 515.

is baptized, and whatever be the faith of the person who baptizes him, he becomes, on the instant of his baptism, a member of the holy Catholic church, mentioned in the Apostle's creed. 2dly, That he receives on his baptism, justifying grace and justifying faith. 3dly, That he loses the former, by the commission of any mortal sin. 4thly, That he loses the latter by the commission of a mortal sin against faith, but does not lose it by the commission of a mortal sin of any other kind. 5thly, That without such wilful ignorance or wilful error, as amounts to a crime in the eye of God, a mortal sin against faith is never committed. And 6thly, That except in an extreme case, no individual is justified in imputing, even in his own mind, this criminal ignorance, or criminal error to any other individual.

I extract these propositions from "*Charity and Truth*," a work of the greatest authority among Roman Catholics, and recently republished under the sanction of the venerable prelates of the Roman Catholic church in Ireland.

Such, then, being the tenets of the Roman Catholic church on this important point, may want of charity upon it be objected to her? It cannot be objected to her by *a Protestant of the Established church of England*, as the Athanasian creed and its damnatory clause, form a part of her liturgy; —or by *a Protestant of the Established church of Scotland*, as the Protestants of that church, in their profession of faith of 1568, say, that out of the

church there is neither life nor everlasting happiness; or by a Protestant of the French Huguenot church, as in their catechism they profess, in their explanation of the tenth article of the creed, that out of the church there is nothing but death and damnation.

VI. 6.

Mr. Blanco White (p. 34, &c.) justly observes, that neither the belief, or disbelief of the Pope's deposing power, is an article of the Roman Catholic faith; and that the Roman Catholic church tolerates each opinion: this is unquestionably true. His theological disquisition upon this subject, it is not my province to discuss; all that I contend for is, that as an explicit profession of allegiance, and an explicit denial of the Pope's deposing power, have been sworn to by the English, Irish and Scottish Catholics, the belief or maintenance of that doctrine cannot, with any justice, be charged upon them, or considered to form a part of their creed, or even ranked among their opinions. Their denials upon oath of the deposing power, were, from the first, known to the Pope: the slightest murmur of his disapprobation of them has not been heard; and I am confident, that, although the disbelief of the Pope's deposing power is yet a tolerated opinion, there is not a single Catholic in the universe who believes it.

VI. 7.

Mr. Blanco White (p. 41) expresses his dis-

satisfaction with the questions proposed to the foreign Universities; and with their answers. As the questions satisfied Mr. Pitt, there certainly is reason to presume that they were framed properly. Mr. Blanco White wishes that the following question had been substituted in lieu of the three actually proposed:—

> "*Can the Pope, in virtue of what the Roman Catholics believe his divine authority, command the assistance of the faithful, in checking the progress of heresy, by any means not likely to produce loss or danger to the Roman Catholic church; and can that church acknowledge the validity of any engagement to disobey the Pope in such cases?*"

My answer shall be short and explicit, and will, I trust, be satisfactory.

> *The Pope may, in virtue of what the Roman Catholics believe his divine authority, command the assistance of the faithful in checking the progress of heresy, by preaching and teaching, in the manner prescribed by the Gospel*; BUT BY NO OTHER MEANS:—*and the Roman Catholics may acknowledge the validity of any engagement to disobey the Pope, in any case in which he should command them to check heresy,* BY ANY OTHER MEANS *than those of preaching and teaching, in the manner prescribed by the Gospel.*

This, the Universities, by their unqualified denial of the Pope's divine right to temporal power, in their answers, ;—this, the English, Irish and Scottish Catholics, by their unqualified denial of it in their oaths, have most distinctly asserted.

VI, 8.

One further observation on the work now before me, I shall offer you. In page 60, Mr. Blanco White informs us, that "he knew very few "Spanish priests whose talents or acquirements "were above contempt, who had not secretly re- "nounced their religion." I have never been in Spain, and have known few Spanish priests; but I have conversed with many Spanish, and many English and Irish Roman Catholic gentlemen, intimately acquainted with the opinions, the manners, and the habits of the inhabitants of Spain. All assure me that there is not the slightest ground for this accusation.—Mr. Blanco White intimates, that something similar may be the case of the English Catholic priesthood, on account of "the support "which they seem to give to oaths so abhorrent "from the belief of their church, as those which "must precede the admission of members of that "church into Parliament." These are the Oaths of Supremacy and those against Transubstantiation and Popery. Here Mr. Blanco White has been miserably deceived. There is not, and there never was, a Roman Catholic priest, who supported these oaths or a similar oath; or who did not believe, and,

if called upon, did not explicitly declare, that a Roman Catholic would, by taking them, absolutely abjure the Roman Catholic religion.

VII.

LETTER TO CHARLES BUTLER, ESQ. OF LINCOLN'S INN, IN VINDICATION OF ENGLISH PROTESTANTS FROM HIS ATTACK UPON THEIR SINCERITY, IN HIS 'BOOK OF THE ROMAN CATHOLIC CHURCH.' BY C. J. BLOOMFIELD, BISHOP OF CHESTER. THIRD EDITION. TO WHICH IS ADDED, A POSTSCRIPT, IN REPLY TO MR. BUTLER'S LETTER TO THE AUTHOR. 8vo. MAWMAN. To this Work I replied by "A LETTER TO THE RIGHT REV. C. J. BLOOMFIELD, BISHOP OF CHESTER, FROM CHARLES BUTLER, ESQ. IN VINDICATION OF A PASSAGE IN HIS 'BOOK OF THE ROMAN CATHOLIC CHURCH,' CENSURED IN A LETTER ADDRESSED TO HIM BY HIS LORDSHIP." 8vo. MURRAY.

VIII.

LETTERS TO CHARLES BUTLER, ESQ. ON THE THEOLOGICAL PARTS OF HIS 'BOOK OF THE ROMAN CATHOLIC CHURCH,' WITH REMARKS ON CERTAIN WORKS OF DOCTOR MILNER, DOCTOR LINGARD, AND ON SOME PARTS OF THE EVIDENCE OF DOCTOR DOYLE, BEFORE THE TWO COMMITTEES OF THE HOUSES OF PARLIAMENT, BY THE REVEREND HENRY PHILPOTTS, D.D. RECTOR OF STANHOPE. 8vo. MURRAY.

AS fair specimens of the spirit and style of this publication, and of the worth of the charges brought in it against me, I select from it—I. The author's

criminations of my statements of the Roman Catholic doctrine of Purgatory;—II. His criminations of my statement of the Roman Catholic doctrine of Sacramental Absolution;—III. And his criminations of the expression "*Dominium ulbum*," used by me in a former work, to describe the Pope's spiritual authority, in extraordinary cases of a spiritual nature, and exerted by Pius VII, in his transactions with Napoleon.*

Beginning with the first, I shall copy from "the "Book of the Roman Catholic Church," the passage respecting Purgatory, reprehended by Doctor Phillpotts;—2, then copy his remarks upon it, and his citation from Calvin, of the passage in that author, to which I referred;—3, then copy the parts of that passage which are omitted by Doctor Phillpotts;—4, then state the results.

I.

Transcription of the Passage in "The Book of the Roman Catholic Church" (p. 104), respecting Purgatory, which is reprehended by Dr. Phillpotts.

"As I am not writing a work of controversy, "I shall say little on the articles in your (Dr. "Southey's) present chapter, which remain to be "discussed.

"As to the existence of Purgatory, for the belief "of which the Roman Catholics have been so "often and so harshly reviled, do not all, who call

* Letter X. Sect. 2.

"themselves 'rational' Protestants, think with "us, that, (to use the language of Dr. Johnson), "'the generality of mankind are neither so obsti- "nately wicked, as to deserve everlasting punish- "ment; nor so good, as to merit being admitted "into the society of blessed spirits; and that God "is therefore generously pleased to allow a middle "state, where they may be purified by a certain "degree of suffering.' With those who profess "this doctrine, does not your own opinion accord? "And what is this, but the very doctrine of the "Roman Catholic church respecting purgatory?

"As to prayers for the dead, the council of "Trent* has decreed, 'that there is a Purgatory, "and that the souls detained in it are helped by "the suffrages of the faithful.'

"The nature and extent of these suffrages are "thus explained, by St. Augustine: † 'When the "sacrifice of the altar, or alms, are offered for the "dead, then, in regard to those whose lives were "very good, such sacrifices may be deemed acts of "thanksgiving. In regard to the imperfect, they "may be deemed acts of propitiation; and though "they bring no aid to the very bad, they may give "some comfort to the living.'

"Tradition in favour of the Catholic doctrine "of Purgatory is so strong, that Calvin confesses "explicitly, that "during 1,300 years before his

* Sess. XXV. Decretum de Purgatione. p. 286.

† Euchird, c. X. c. tom. 2. p. 83.

" time,' (1,600 before ours,) 'it had been the prac-
" tice to pray for the dead, in the hope of procur-
" ing them relief.'" You yourself will scarcely
" venture to assert, that there is any thing substan-
" tially wrong in this devotion, when you recollect
" that Archbishop Cranmer said a solemn mass for
" the soul of Henry II, of France; that bishop
" Rid ley preached, and that eight other prelates
" assisted at it in their copes,"

I. 2.

Dr. Phillpotts's Comment (*p.* 146,) *upon this Passage. His Citation from Calvin, of the Passage to which it refers.*

He quotes a passage from Bishop Fisher;—then says, " Choose between him and Dr. Milner,
" whether you will seek for your church such ad-
" vantages only, as can be obtained by fair and
" manly argument, or will prefer the specious, but
" in the end, the ruinous course of aiming at a
" little temporary triumph, *by the artifices of the*
" *sophist, or the calumniator.*" At present, I am
" sorry to say, (while *I wish to acquit you of ca-*
" *lumny*), *that in sophistry you are too apt and*
" *forward a pupil of your great master* (Dr. Milner).
" Hence it is, that you have ventured to cite out
" your meagre section on the question before us,
" with the following *miserable attempt to mislead*
" *your readers.* 'Tradition in favour of the Ca-
" tholic doctrine of Purgatory is so strong, that
" Calvin confesses explicitly, that during 1,300

"years before his time (1,600 before ours), it had "been the practice to pray for the dead, in the "hope of procuring them relief." You have not "thought fit to give any reference to the particular "work of Calvin, from which you make this "notable quotation, though you require of us to "mention always the work, the edition of it, and "the page in which it is contained. * Left there-"fore, as we are, to hunt for the passage through "nine ponderous folios, I am so illiberal as to "suspect, either that it does not exist at all, in the "precise form in which you exhibit it; or, if it "exists, that it would be found in company, which "you would be very sorry it should be seen to "keep. Permit me to ask, Sir, whether you ever "read what Calvin has really written on this point? "If you have not, will you acknowledge any obli-"gation to me for informing you, in that writer's "own words, what he thought and taught on— "Tradition in favour of purgatory,

"'As to Purgatory, we know that there were "an Ancient churches which made mention of the "dead in their prayers; but that was rare, was "sober, and contained in few words; such, in "short, as showed that they only wished to tes-"tify incidentally their own charity towards the "dead. The architects, who built up that Pur-"gatory of yours, were not yet in existence. I "will not suffer, Sadoletus, that the name of the

* Book of the Roman Catholic Church, &c. p. 10.

"church be inscribed on such flagitious tenets, "that you shall so defame it in violation of all "that is just or sacred, and raise against us a "prejudice in the minds of the ignorant, as if we "were resolved to wage war* with the church. "For, while I admit, that there were sown long "ago certain seeds of superstition, which were "somewhat degenerating from the purity of the "Gospel, yet you know well, that the monstrous

* Resp. ad Sadolet. p. 110 †. "Since writing the above I "have found the passage (Inst. l. 3, c. 5, s. 10) which you "have had in view. It is, what I suspected, as will be ap- "parent from the following extracts: 'Quam mihi *objiciunt* "'*adversarii*, ante mille et trecentos annos usu. receptum "'fuisse ut precationes fierint pro defunctis, eos vicissim in- "'terrogo, quo Dei verbo &c. factum sit.' 'Cætereim ut "'concedam vetustis ecclesiæ scriptoribus pium esse visum "'suffragari mortuis, &c.' 'Verum, ne glorientur adversarii "'nostri, quasi veterem ecclesiam erroris sui sociam habeant "'dico esse longum discrimen.' 'Agebant illi memoriam "'mortuorum, ne viderentur omnium de ipsis curam abjecisse: "'sed simul fatebantur, se dubitare de ipsorum statu. *De* "'*purgatoris certé adèo nihil assererent ut pro re incer-* "'*tâ habe-* "'*rent.*' 'Quinetiam nonnulla veterum testimonia referre, "'nobis haud difficile esset quæ tunc usitatæ erant manifestè "'evertunt.' It is thus that Calvin '*confesses explicitly*,' that "during 1,300 years before his time (1,600 before ours) it had "been the practice to pray for the dead, *in the hope of pro-* "*curing them relief.*"

† "Nemesis," says Doctor Johnson, in his Life of Milton, "is always "on the watch." In the present instance Doctor Phillpotts leaves me to hunt for this passage "in nine ponderous volumes of Calvin's works," in the same manner as he taunts me for having left him to hunt among them for the passage which I had cited.

"impieties, against which our warfare is directed, "were but recently either first called into existence, "or at least, carried to their present magnitude. "Against your whole proud system, to take it by "storm, to trample it to the earth, to scatter it to "the winds, we are armed not only with the "strength of the Divine Word, but also with the "authority of the Holy Fathers.'"

"This, Sir, is an account of the tradition re- "specting Purgatory, given by Calvin, 'that "Blasphemer Calvin,' as he is called by the "meek and holy Dr. Milner. Avail yourself of "it if you can."

"We have thus seen the doctrine of your church "respecting Confession and Absolution. You, in "this instance (as I have been sorry to find in dif- "ferent degrees is almost invariably your practice), "have contrived to evade the whole of the real "question at issue between the two churches, and "have affected to perceive no difference between "them. For this purpose you cite a passage from "Dr. Milner's End of Controversy, and another "from Chillingworth, which do not at all touch on "the points of difference. Consult your own heart, "Sir, and let that tell you, whether you have not "here deeply, I had almost said, shamefully pre- "varicated. You know, that Auricular Confession "is with you an essential part of a sacrament, "which, as you value your soul's salvation, you "must perform. You also know, that with us the "same confession is not at all required as a ne-

"cessary service, not as a part of repentance, not "even of discipline—that it is merely a matter "recommended to those sinners whose troubled "consciences admit not of being quieted by "self-examination, however close and searching, "nor any other instruction, however diligent, "that he only who, '*requireth further comfort* "'*or counsel*,' after all that he can do for him-"self, is invited to repair to some discreet and "learned minister of God's word, and *open his* "*grief*, that *by the ministry of God's holy word* "*he may receive the benefit of absolution*, together "with ghostly counsel and advice, to the quieting "of his conscience, and avoiding of all scruple and "doubtfulness."

I. 3.

Transcriptions from Calvin's Institutions, and Translations of them.

If the accuracy of my citation from Calvin had rested upon the language in which it is cited by Dr. Phillpotts, I believe every candid reader would have thought that I deserved no harsh words for citing it to prove my assertion.

But, how much of the passage which I had in view, and which Dr. Phillpotts had under his eyes, is concealed by him. 1. He omits the two first sentences, which fully and incontrovertibly prove the accuracy of my assertion—"At *vetustissima* "fuet ecclesia observatio. Hanc objectionem solvit "Paulus, dum suam quoque ætatem in eâ sententiâ "comprehendit, ubi denuntiat jacturam operis sui

"facere oportere omnes, qui in ecclesiæ structurâ, "aliquid fundamento minus consentaneum po- "suerit." "*Our opponents will reply, that it has* "*been* A VERY ANCIENT *opinion in the church.* "*Paul removes this objection, when, he compre-* "*hends even his own age in this sentence, where* "*he denounces that all must suffer the loss of their* "*work, who, in the structure of the church, should* "*place any thing not corresponding to the founda-* "*tion.*" Surely Calvin's answer, while it controverts the propriety, admits explicitly the *antiquity* of the practice. Calvin allows that it was a very ancient practice, but asserts that it was contrary to the word of God. Now, I have not cited him for asserting its conformity to the holy word; I have only cited him for admitting its antiquity. This he unequivocally allows; and his allowance of it is so clear, that the editor of his work (perhaps himself), thus abridges the passage in the margin:— "Vetusta quidem est hæc opinio, quam vetustior "Apostolus refellit." "*In fact, it is an ancient* "*opinion, but a more ancient Apostle refutes it.*"

2.—Then follows the passage which Dr. Phillpotts has cited:—"Quum ergo mihi objiciunt "adversarii ante mille et trecentos annos usu "receptum fuisse, ut precationes fierent pro de- "functis, eos vicissim interrogo quo dei verbo, &c. "factum sit." "*When our adversaries therefore* "*object to me, that, to offer prayers for the dead,* "*has been the practice of more than* 1,300 *years,* "*I inquire of them, on the contrary, by what*

" *word of God, &c.* it is sanctioned." Here the antiquity of the practice, at the distant period of 1,300 years, is expressed; it is not controverted by Calvin. He confines his objection, as before, to its propriety.

3.—Then follows another important admission, which Dr. Phillpotts wholly omits:—" Ipsi etiam " *veteres* qui preces fundebant pro mortuis, et " mandato Dei et legitimo exemplo hic se destitui " videbant. Cur ergo audebant? In eo, dico " aliquid humani passos esse ideoque in imita- " tionem trahendum non esse contendo, quod " fecerunt: Fuit etiam instar facis recepta con- " suetudo." " *Even the* FATHERS *themselves,* " *who offered up prayers for the dead, saw that* " *they had neither a Divine command nor a legiti-* " *mate example to justify the practice. Why then* " *did they presume to adopt it? In this, I say, they* " *discover themselves to be but men; and therefore* " *I contend, that what they did ought not to be* " *enforced on the imitation of others. The custom* " *also, when received, was like a flame, kindling* " *ardour in the minds of multitudes.*"

4.—In the same spirit Calvin writes in the following passage,—also omitted by Dr. Phillpotts: " Abrepti etiam ipsi fateor in errorem fuerunt, " nempe ut inconsiderata credulitas privare judicio " solet homnium mentis." " *I confess they were* " *also involved in error themselves, from an incon-* " *siderate credulity, which frequently deprives the* " *human mind of judgment.*"

5.—Afterwards follows the passage cited by Doctor Phillpotts:—"Cæterum ut concedam ve-"tustis ecclesiæ scriptoribus pium esse visum "suffragari pro mortuis!" *But, though, I concede* "*that the antient writers of the church esteemed* "*it a pious act to pray for the dead,*" &c.; the other passage also cited by him follows.

The foregoing citations are copied from the edition of the "Institutiones," published at Amsterdam in 1677. L. 3. c. 5. sect. 10. In the version of the passages which I have cited, I have availed myself of Mr. Allen's translation of them, in 3 vols. 8vo. 1813.

I. 4.

The Result.

ALL the passages are now before you and my other readers. The question to be decided is, whether my assertion, that "Calvin confesses explicitly "that, during 1,300 years before his time, (1,600 "before ours), it had been the practice to pray for "the dead, in the hope of procuring them relief," is proved. I aver, that the passages cited prove it beyond controversy. Calvin reprobates the doctrine. Then mentions its being objected to him, that it is "a very ancient practice." "That it had been in "use before 1,300 years antecedent to his time." He does not deny the fact; but contends that the practice, however ancient, was contrary to the word of God; and thus, though ancient, was unjustifiable.

I never said or hinted, that Calvin was favourable to the doctrine of Purgatory; his reprobation of it is unquestionable I said, and I now trium-

phantly repeat, that Calvin allowed the antiquity of the practice of prayers for the dead; or, to repeat the words, in "the Book of the Roman "Catholic Church," "that, during 1,300 years "before his time, (1,600 years before ours), it had "been the practice to pray for the dead, in the hope "of procuring them relief."—Read again all that he concedes.

II. 1.

I now proceed to the passage in "The Book of the Roman "Catholic Church," respecting Sacramental Absolution, which is criminated by Dr. Phillpotts.

I shall first transcribe all that is said on this subject in "The Book of the Roman Catholic Church."

Adressing myself to Dr. Southey, I there thus express myself:—"In respect to the Auricular "Confession, I hope you will be convinced, that it "does not deserve a bitter word, when you have "perused the following testimonies in its favour:

"The Lutheran," says Dr. Milner, in his End "of Controversy, "who are the elder branch of "the Reformation, in their confession of faith, and "apology for that confession, expressly teach, that "absolution is no less a sacrament than baptism, "and the Lord's supper; that, particular absolution "is to be retained in confession; that, to reject it, "is the error of the Novatian heretics; and that, "by the power of the keys, (Matth. xvi. 9), sins "are remitted, not only in the sight of the church, "but also in the sight of God.* Luther himself, "in his catechism, required that the penitent, in

* Confess. August. Art. XI. XII. XIII. Apol.

" confession, should expressly declare, that he be-
" lieves the forgiveness of the priest to be the for-
" giveness of God.* What can Bishop Porteus,
" and other modern Protestants, say to all this,
" except that Luther and his disciples were infected
" with Popery? Let us then proceed to inquire
" into the doctrine of the most distinguished heads.
" In the order of the communion, composed by
" Cranmer, and published by Edward VI. the
" parson, vicar or curate, is to proclaim this among
" other things, '*If there be any of You, whose*
" *conscience is troubled and grieved at any thing,*
" *lacking comfort or counsel, let him come to me, or*
" *to some other learned priest, and confess and open*
" *his sin and grief secretly, &c. that of us, as a*
" *minister of God, and of the church, he may re-*
" *ceive comfort and absolution.* † Conformably with
" this admonition, it is ordained in the Common
" Prayer Book, that, when the minister visits any
" sick person, the latter should be moved to make
" a special confession of his sins, if he feels his
" conscience troubled with any weighty matter;
" after which confession, the *priest should absolve*
" *him*, if he humbly and heartily desire it, after
" this sort? *Our Lord Jesus Christ, who hath left*
" *power to his church to absolve all sinners, who*
" *truly repent and believe in him, of his great mercy,*
" *forgive thee thine offences; and by his authority,*
" *committed to me,* I ABSOLVE THEE *from all thy*

* In Catch. Parr. See also Luther's Table Talk, c. xviii. on Auricular Confession.

† Bishop Sparrow's Collect. p. 10.

" *sins, in the name of the Father, and of the Son,* " *and of the Holy Ghost. Amen.** I may add, " that soon after James I. became, at the same " time, the member and the head of the English " Church, he desired his prelates to inform him, in " the conference at Hampton Court, what autho- " rity this church claimed in the article of abso- " lution from sin. When Archbishop Whitgift " began to entertain him with an account of the " general confession and absolution, in the com- " munion service, with which the King not being " satisfied, Bancroft, at that time Bishop of London, " fell on his knees, and said, it becomes us to deal " plainly with Your Majesty. There is also in the " book, a more particular and personal absolution " in the Visitation of the Sick. *Not only the con-* " *fession of Augusta, (Augsburg), Bohemia and* " *Saxony, retain and allow it, but also* MR. CALVIN " DOTH APPROVE BOTH SUCH A GENERAL AND " SUCH A PRIVATE CONFESSION AND ABSOLU- " TION." To this the King answered, 'I exceed- " ingly well approve of it, being an apostolical and " godly ordinance, given, in the name of Christ, " to one that desireth it, upon the clearing of his " conscience.'" †

* " Order of the Visitation of the Sick.—*N. B.* To encourage " the secret confession of sins, the Church of England has made " a canon, requiring her ministers not to reveal the same. See " Canones Eccles. A. D. 1693. D. 113."

† " Fuller's Ch. Hist. B. x. p. 9.—See the Defence of Bancroft's " successor in the see of Canterbury, Doctor Laud, who endea- " voured to enforce auricular confession, in Heylin's Life of Laud, " part 2, p. 415. It appears from this writer, that Laud was

Thus far Dr. Milner:—The Book of the Roman Catholic Church, then proceeds *immediately*,—and without any comment,—as follows:—

"I beg leave to add the words of the 'immortal "Chillingworth,' for by this epithet, he is fre- "quently distinguished by Your writers."

"Can any man be so unreasonable as to imagine, "that when our Saviour in so solemn a manner,— "having first breathed upon his disciples, thereby "conveying and insinuating the Holy Ghost into "their hearts,—renewed unto them, or rather con- "firmed that glorious commission, &c. whereby "he delegated to them an authority of binding and "loosing sins upon earth, &c. Can any one "think, I say, so unworthily of our Saviour, as "to esteem these words of his for no better than "compliment? Therefore, in obedience to his "gracious will, and as I am warranted and enjoined "by my holy mother, the Church of England, I "beseech you, that, by your practice and use, you "will not suffer that commission, which Christ "hath given to his ministers, to be a vain form of "words, without any sense under them. When "you find yourselves charged and oppressed, &c. "have recourse to your spiritual physician, and "freely disclose the nature and malignancy of your "disease, &c. *and come not to him only with such*

"confessor to the Duke of Buckingham; and from Burnet, that "Bishop Morley was confessor to the Duchess of York, when a "Protestant. Hist. of his own Times."

"*mind as you would go to a learned man, as one* "*that can speak comfortable things to you; but as* "*to one that hath authority delegated to him from* "*God himself, to absolve and acquit you of your* "*sins.*" *

"To these testimonies," (I thus say, in the "Book of the Church," continuing my address to Doctor Southey),—"which should have so much "weight with you,—I shall only add the same ob- "servation as I have just made on our doctrine "of prayers for the dead; that in the *Greek* "church, and in the numerous oriental churches "of the *Nestorians*, *Eutychians*, and *Monothelites*, "who separated from the Church of Rome in an "early age of Christianity, *Auricular Confession* "*is retained and practised.* Does not this circum- "stance incontrovertibly prove its early admission "into the church? In ecclesiastical doctrine and "discipline is not such early antiquity always "respectable?"

II. 2.

Doctor Phillpotts's Crimination of the passage in the "Book of the Roman Catholic Church," respecting Sacramental Absolution.

"We have just seen the doctrine of your "church respecting Confession and Absolution.— "You, in this instance, (as I am sorry to find, "in different degrees, is almost invariably your

* Serm. vii. Relig. of Prot. pp. 408–409.

" practice in others), have contrived to evade the " whole of the real question, between the two " churches, and have affected to perceive no " difference between them. In this passage, you " cite a passage from Doctor Milner's End of " Controversy, and another from Chillingworth, " which do not at all touch on the points in dif- " ference. Consult your own heart, Sir, and let " that tell you, whether you have not here deeply, " I had almost said, shamefully, prevaricated. " You know that Auricular Confession is with you " an essential part of a sacrament, which, as you " value your soul's salvation, you must perform. " You also know, that the same confession is not " at all required as a necessary service, not as " a part of repentance, not even of discipline: " that it is merely a matter recommended to those " sinners, whose troubled conscience admits not " of being quieted by self-examination, however " close and searching, nor any other instruction, " however diligent, that he only ' *who requireth* " ' *further comfort or counsel*,' after all that he " can do for himself, is invited to repair, ' to " ' some discreet minister of God's word, and open " ' his grief; that *by the ministry of God's holy* " ' *word, he may receive the benefit of absolution*, " ' together with ghostly counsel and advice, to the " ' quieting of his conscience of all scruple and " doubtfulness.'"

III. 3.

The Result.

I HAVE thus stated the whole of the passage, in "The Book of the Roman Catholic Church," which is the subject of the present discussion, and have copied, in his own words, the language which Dr. Phillpotts addresses to me upon it.

Are not you—are not all my readers quite satisfied, that I have *not* deserved the language which Doctor Phillpotts has applied to me? How can it be said, that "I evade the question at issue "between the two churches?" Was this question proposed to me?—Did I profess to discuss any question? Did I mention, did I refer to any? Can I be said "to have affected to perceive no "difference between them?" I neither said, nor insinuated, that there is no difference between them. I never said that the difference between them was slight: I said nothing about difference. I know it to be great.—All I say in "The "Book of the Roman Catholic Church,"—all I insinuate in it, is, "a hope, that Doctor "Southey would be convinced that Auricular Con- "fession, as practised in the Church of Rome, "does not *deserve a bitter word*, when he should "have perused the following testimonies produced "by me." I then produce a passage from Doctor Milner's "End of Controversy;" another, from Dr. Chillingworth. Then, without a single observation, after half a dozen lines, which mention the practice of Auricular Confession in the Oriental churches, I leave the subject altogether.

"Consult," these are Doctor Philpotts own words, "consult your own heart, and let that tell "you, whether *you have not deeply, I had almost said shamefully prevaricated.*"—I ask, in what? "You know," says the Doctor, "that Auricular "Confession is with you an essential part of a "sacrament, which, as you value your soul's sal- "vation, you must perform." This I certainly did, and do know. Have I said, have I insinuated the contrary?—"You also know," continues Dr. Phillpotts, "that with us, it is not at "all required, as a necessary service; not a part of "repentance, not even of discipline; that it is "merely *recommended* to those, whose troubled "consciences admit not of being quieted by self- "examination, however close and searching." Without acquiescing in the accuracy of this representation of the doctrine of the Church of England on the point in question; or inquiring, whether it be reconcilable with the passage just before cited by me from Doctor Chillingworth, I accept Doctor Phillpotts statement,—I admit myself to have known all the Doctor says I knew.

But, how can all this justify Doctor Philpotts's charging upon me the foul crime of "deep and "shameful prevarication." Prevarication, Doctor Phillpotts well knows, is separated by a very thin line, from the crime described by the unutterable monosyllable. I ask,—not, if it be just to impute it to me;—but, if it be possible to frame such a charge upon my words?—Have I said, have

I insinuated, that the doctrines of the churches are the same? Have I affected to perceive no difference between them? Have I said any thing respecting their difference? Nothing like it.—All I have said is, that "I hoped that Doctor Southey, after "perusing the passages I was about to cite, would "not think our doctrine on the subject deserving "a bitter word." In this I may have been mistaken. After perusing these passages, Dr. Southey may think—he may even be right in thinking, that Auricular Confession, as practised in the Church of Rome, does deserve a bitter word; Still, where can prevarication be found?

Such is the charge which Doctor Phillpotts has brought against me;—such the language in which he conveys it;—and such its truth.

III.

Charge brought by Doctor Phillpotts, on Mr. Butler's having allowed, in a former Publication, the Dominium Altum of the Pope.—Reply to the Charge.

I should not detain your attention to Doctor Phillpotts's publication any longer, if he had not, towards the conclusion of it, brought, or rather insinuated against me, a charge, which seems to call in question the sincerity with which I have taken the oaths of allegiance, prescribed by the 18th and 31st of his late Majesty, to his Roman Catholic subjects; and which may be thought to implicate the general body of the Roman

Catholics in the accusation. I shall state the charge in his own words:

III. 1.

The Charge.

"In the year 1800, the late Pope Pius VII. "addressed his late Most Christian Majesty, the "eldest son of the church, Louis XVIII. as "lawful King of France and successor of St. "Lewis, and made to him, *as such*, the usual com- "munication of the intelligence of his election to "the Popedom. In the following year, on "April 10th, 1801, the same Pope entered into "a concordat with Buonaparte, which instrument, "besides suppressing 146 episcopal and metro- "politan sees, and dismissing their bishops and "metropolitans without any form of judicature, "absolves all Frenchmen from their oaths of alle- "giance to their legitimate sovereign, Louis XVIII. "and authorizes an oath of allegiance to the First "Consul. The Pope's words are, 'Consensimus, "ut episcopi antequam episcopale munus susci- "piant coram Primo Consuli juramentum fideli- "tatis emittant.' 'Consensimus ut parochi,' &c. &c.

"In reference to this affair, a book was printed "in London, in the year 1807, with the name of "a most respectable gentleman of your church in "the title-page, from which you will permit me "to present my readers with the following most "instructive passage:—'The *ecclesiastical divi- "sion of France* by the Pope and Buonaparte, has

" not been acquiesced in by some of the Gallican " prelates: they appear *much perplexed between* " *allegiance to the Bourbons, and duty to the Pope.* " They invoke the canons;' and their appeal to " the canons must be decided in their favour, " if the case should be tried by the ordinary rules " of the ecclesiastical polity of the Roman Catholic " church. But at the time we speak of, *no sen-* " *tence, founded on those rules,* could be carried " into execution.' Such was the *extraordinary* " state of things, that nothing short of the " DOMINUM ALTUM, or the *right of providing* " *for extraordinary cases by extraordinary cases* " *of authority,* could be exerted with effect; and " that DOMINUM ALTUM *the venerable prelates* " *cannot, consistently with their own principles,* " *deny to the successors of St. Peter.*

" I have called this a most instructive passage, " and some of my readers will probably agree with " me in so considering it. It tells us of a new secu- " rity for our existing institutions in church and " state (as far as the Pope can endanger them), if " the proposed bills should pass: it is this, that no " harm shall be done to them, no exertion of the " DOMINUM ALTUM, *if—no extraordinary case* " *shall arise, which may require to be provided for* " *by an extraordinary act of authority.*

" Having thus stated the obligation we owe to " this writer, I will no longer withhold his name " from the grateful commemoration of my fellow " Protestants, it is 'CHARLES' BUTLER, QF

" LINCOLN'S-INN, ESQUIRE,'* who with be-
" coming modesty, wishes at present to be chiefly
" known, as author of 'the Book of the Roman
" Catholic Church;' a book at which I am
" now going to take, (I rejoice to say), one part-
" ing glance."

III. 2.

The Reply.

WORDS cannot express a stronger disbelief of the right of the Popes to temporal power, direct or indirect, or a stronger detestation of their claim to it, than I have repeatedly expressed in the work cited by Doctor Phillpotts. In the 31st page, he will find, that, after observing that some Popes had taken upon themselves to try, condemn and depose sovereigns, to absolve their subjects from allegiance to them, and to grant their kingdoms to others, I add these words: " That a claim so
" unfounded and impious, so detrimental to reli-
" gion, so hostile to the peace of the world, and
" apparently, so extravagant and visionary, should
" have been made, is strange; stranger still is the
" success it met with."

In page 159, I mention some circumstances, " which, for a time, preserved to the Popes their " temporal power in the states that acknowledged " their spiritual supremacy." I proceed to observe,

* " Butler's Works, Vol. II, p. 13. Proofs and Illustrations. " Revolutions of the Germanic Empire, London, 1807. I readily " admit, that there are in the same work several strong passages " against the Pope's temporal power."—Why did not Doctor Phillpotts do me the justice,—for this justice was due to me,—to copy them?

that " the influence which this gave them, made " them venture on those *enormities*, which now " excite so much astonishment, the bulls by which " they absolved the subjects of Henry IV. of " France and our Elizabeth, from their allegiance, " their approbation of the massacre of St. Bartho- " lomew, their concurrence in the league, their " blessing of the Armada," &c.

In page 161, I expressly intimate my opinion, that the distinction between the Pope's direct and indirect power in temporals is merely verbal. Finally, in page 163, I give an explicit opinion, that " the claim of the Pope to temporal power, is one " of the greatest misfortunes that have befallen " Christianity."

With these passages before him, it is a matter of astonishment to me, that Dr. Phillpotts should charge me with ascribing to the Pope, a power of transferring allegiance, or any thing which resembles it. I certainly think, that, in extraordinary cases of a *spiritual* nature, and for the *spiritual* advantage of the people, the Pope may make *spiritual* arrangements of the *spiritual* concerns of the church, though *contrary to its established canons.* This is all that is expressed, or can decently be inferred, from the passage referred to by Doctor Phillpotts.

Upon this subject I shall only add, that the objections of the Irish prelates, Dr. Milner, or Mr. Plowden, to the Gallican declaration of 1682, which are referred to by Dr. Phillpotts, did not relate to the first of the four articles of which the

declaration is comprized. This declares the independence of the temporal on the spiritual power of the Popes. The objections related only to the three remaining articles; these regard the discipline of the church in spiritual concerns; with these the temporal powers have no right of interference; this has been repeatedly explained.

IX.

LETTER TO CHARLES BUTLER, ESQ. OF LINCOLN'S-INN, CONTAINING BRIEF OBSERVATIONS UPON HIS QUESTION, WHAT HAS ENGLAND GAINED BY THE REFORMATION? BY A TRUE CATHOLIC. 8vo. 1825. HATCHARD & SON.

X.

THE ACCUSATIONS OF HISTORY AGAINST THE CHURCH OF ROME, EXAMINED IN MANY OF THE PRINCIPAL OBSERVATIONS IN THE WORK OF MR. CHARLES BUTLER, ENTITLED, "THE BOOK OF THE ROMAN CATHOLIC CHURCH." BY THE REVEREND GEORGE TOWNSEND, M.A. OF TRINITY COLLEGE, CAMBRIDGE.

XI.

AN APOLOGY FOR THE CHURCH OF ENGLAND, BY THE RIGHT REVEREND JOHN JEWELL, D.D. LORD BISHOP OF SALISBURY. FAITHFULLY TRANSLATED FROM THE ORIGINAL LATIN, AND ILLUSTRATED WITH COPIOUS NOTES, BY THE REVEREND STEPHEN ISAACSON, B.A. OF CHRIST COLLEGE, CAMBRIDGE. TO WHICH IS PREFIXED, A MEMOIR OF HIS LIFE AND WRITINGS, AND A PRELIMINARY DISCOURSE ON THE DOCTRINE AND DISCIPLINE OF THE CHURCH OF ROME; IN REPLY TO SOME OBSERVATIONS OF CHARLES BUTLER, ESQ.

ADDRESSED TO DR. SOUTHEY, ON HIS "BOOK OF THE CHURCH." 8vo. 1825. HEARNE.

IT is remarkable, that although Dr. Isaacson explicitly adopts Dr. Middleton's opinion, against the continuation of miracles, after the apostolic age, he yet cites,* without any animadversion, from Fuller's Life of their Common Hero, the miraculous warnings of death, given by the Almighty to Bishop Jewell, Bishop Ridley, and to Cyprian and Bradford, the Marian Martyrs. Ridley was certainly guilty of high treason to Queen Mary, his lawful sovereign. "Dr. Ridley," says Stow, (annum 1553), "vehemently persuaded the people "on the title of the Lady Jane, and inveighed "earnestly against the title of Lady Mary." Is it recorded in history, that the Almighty favoured any other person, guilty of high treason, with a supernatural communication?

XII.

A DEFENCE OF THE TRUE AND CATHOLIC DOCTRINE OF THE SACRAMENT OF THE BODY AND BLOOD OF OUR SAVIOUR CHRIST: WITH A CONFUTATION OF SUNDRY ERRORS CONCERNING THE SAME. BY THE MOST REVEREND THOMAS CRANMER, LORD ARCHBISHOP OF CANTERBURY. TO WHICH IS PREFIXED, AN INTRODUCTION, HISTORICAL AND CRITICAL, IN ILLUSTRATION OF THE WORK; AND IN VINDICATION OF THE CHARACTER OF THE AUTHOR, AND THEREWITH OF THE REFORMATION IN ENGLAND, AGAINST SOME OF THE ALLEGATIONS WHICH HAVE BEEN RECENTLY MADE BY THE REVEREND DOCTOR LINGARD, THE REVEREND

* Life of Bishop Sewell. p. lxxiv.

DOCTOR MILNER, AND CHARLES BUTLER, ESQ. BY THE REVEREND HENRY JOHN TODD, M.A. F.S.A. CHAPLAIN IN ORDINARY TO HIS MAJESTY, AND RECTOR OF SETTRINGTON, YORKSHIRE.

I am sorry that the respectable writer of this work finds any thing to reprehend in my pages; I trust he will find nothing that displeases him in the following brief defence of some of them against his charges.

1. The principal and most important of them relates to what I have said of Archbishop Cranmer. Without a minute and full investigation of every topic which it presents for discussion, it would be impossible to decide with justice between us. In such an investigation I *may* hereafter engage; at present I can only generally express my acquiescence in what Doctor Lingard has said in the preface to the last volume of his excellent history: "that the "attempt of Mr. Todd to place in a more favour- "able light the labours of this celebrated prelate, "has not been successful."

I have no hostile feeling to the Archbishop's memory. In my history of the English, Irish, and Scottish Roman Catholics,* I have mentioned with praise, "this prelate's protection of the Princess "Mary, from the fury of her father,—his en- "deavours to save Sir Thomas More, Bishop "Fisher and Cromwell,—his resistance to the "passing of the sanguinary enactment of the "Six Articles, and his encouragement of letters

* Vol. 1. p. 361. third edition.

"and learned men." In my *Life of Erasmus* recently published, I took care to notice the archbishop's liberality to him. Having presented my Historical Memoirs to Doctor Parr, I received from him a letter, in which he censures, in the severest terms, my language upon, what I consider the blameable parts of the archbishop's character. The whole of this vituperation I inserted in my *Reminiscences.** In a note to it,† I thus express myself:—"If a new edition of the Historical "Memoirs shall be called for, the Reminiscent "will reconsider, with the attention due to all "that falls from Doctor Parr, what is said on the "*unfortunate and wickedly treated* prelate. In the "mean time, he wishes both his descendants and "the members of the church of which that prelate "was a distinguished founder, to be in possession "of the spirited, elegant, and amiable extenuation, "of what may be thought vulnerable in that "prelate's character."

I conclude my account of him in the Historical Memoirs,‡ with these words:—"The sentence, "which, after he had been pardoned for his treason, "condemned him to the flames for heresy, was "*execrable*. His firmness under the torture to which "it consigned him, has seldom been surpassed "It presents an imposing spectacle, and we then "willingly forget what history records against him. "But, when we read in the Biographia Britannica,

* App. Note II. p. 340. † P. 345.

‡ Hist. Mem. Vol. I. pp. 202, 203.

" that 'he was the glory of the English nation,
" and the ornament of the Reformation,' his mis-
" deeds rush on our recollection, we are astonished
" at the effect of party, and the intrepidity of the
" biographer."

2. Mr. Todd asserts, that I *charitably* say, " that Cranmer and his association wished Mary " and her associates to be exposed to their pro-" jected persecution." * I am, surprised at this remark. Would not Mary have been exposed to the *Reformatio Legum Antiquarum*, if it had been sanctioned by the legislature? Did not Cranmer and his associates wish, did they not exert themselves to their utmost to have it passed into a law? Does not Strype, as he is cited by Mr. Todd, describe it " a very noble enterprise?" Does not Burnet, also cited by Mr. Todd, describe it " a " noble design, so near being *perfected* in Edward's " time?"

I believe Cranmer to have been a learned man; naturally kind, and disposed to moderate councils: but that, unfortunately for him, he was born in times, to which his virtue was very unequal;—I believe that this is the opinion, which all well informed and moderate Protestants entertain of him.

3.—Mr. Todd (p. 24) accuses me of " unfairly " citing Bishop Jeremy Taylor, on the subject of " Transubstantiation, and the Mass." He refers to " The Book of the Roman Catholic Church," (p. 327), and to my "Enquiry as to the Declaration

* Mr. Todd's Critical Introduction, pp. 99, 100.

" against Transubstantiation, &c. published sepa-
" rately in 1822, and copied into the 18th chapter
" of the Book of the Roman Catholic Church."

My object in the Enquiry, was to show that the Oath and Declaration against Transubstantiation, prescribed by the 30th Charles II, as a qualification for sitting and voting in parliament, could not be conscientiously made or taken by a Protestant. I suggested the negative: I assign for it, as one reason, that the person, who makes the declaration and takes the oath, swears by it, that " there is no transubstantiation, and that the sa-
" crifice of the Mass is superstitious and idola-
" trous." I observe, that no one can conscientiously affirm any thing upon oath, unless he has previously ascertained by due inquiry, the truth of the affirmation. I proceed to state, that the superstition and idolatry charged upon the Catholics by the declaration and oath, must be in a certain degree problematical, as it has been doubted by many eminent Protestants. For this I quote Doctor Jeremy Taylor, Mr. Thorndyke, Bishop Cosin, and Bishop Kenn, and transcribe the passages.

To that which is cited from Doctor Taylor, Mr. Todd opposes a passage from the same author's " Dissuasive from Popery," which he says, asserts the contrary.*

He observes, that the " Liberty of Prophesy-
" ing," was written by Doctor Taylor in his

* He cites, Chapter II. Section XII. In Mr. Heber's edition of the prelate's works, it is to be found in Section XI.

younger years; the "Dissuasive from Popery" in his mature age. But was this so? The former was written by Doctor Taylor in his 34th, the latter in his 53d year. Is it settled, that a scholar, who like Doctor Taylor has lived in books from his infancy, writes better at 53 than at 37.

However this may be, after repeated serious perusal of the passage cited by Mr. Todd from Dr. Taylor's "Dissuasive from Popery," I am convinced that it does not substantially contradict the passage cited from his "Liberty of Prophesying." I admit that it appears,—that it may be thought,—that it may be construed to contradict it: that it sounds like,—that it approaches very near to a contradiction; but I aver, that *it is not* a contradiction. The fact evidently is, that for some reason, Doctor Taylor wished to be thought to contradict the doctrine expressed in the "Liberty of Prophe-" sying;" and that for some other reason, he wished not to do it explicitly, and therefore adopted middle expressions.

If I had been aware of the passage cited from the "Dissuasive from Popery,"—*which I assure Mr. Todd I was not,*—I should not have inserted the passage from the "Prophesyings;" for although I think the former is not affected by the latter, I think the latter renders the sense of the former debateable. I shall only add, that those who discuss the point, should read the whole passage in "The Dissuasive," and judge from the whole; and should also bear steadily in mind, that the question is not, whether the doctrine be true,

or what was Doctor Taylor's opinion upon it; but whether Doctor Taylor thought the Catholics, with their notions of the real presence, could, with justice, be deemed idolaters, for their doctrine of transubstantiation and the Mass.*

4.—Mr. Todd, (p. 26), by a very harmless, and I am sure, a very honourable mistake, charges me with citing *Bishop Gunning*, "for the same doc-" trine,—concealing what should be added respect-" ing him, that after the bill was passed, he took " the oath." Mr. Todd refers to the "Book of the Catholic Church," (p. 327). I have more than once perused this page,—some pages immediately preceding, and some immediately following it,—and the article "Transubstantiation," in both editions of the "Book of the Roman Catholic " Church," and can find in them no citation from Bishop Gunning, or even any mention of that prelate's name.

* I have been blamed for saying, in the "Book of the Roman Catholic Church," that the oath declares *transubstantiation* to be idolatrous, when it only declares this of "*the Mass.*" But is not transubstantiation the very essence of the Mass?

I avail myself of this opportunity to mention what I should have noticed before, that Doctor Phillpotts has filled his work with pretty stories of the saints in heaven, and souls in purgatory. Not one of these do I believe. Some, he says, are related in the Roman breviary. The parts of Scripture, and decrees of general councils, inserted in the Roman breviary, are of faith: the rest is matter of history, and entitled to historical credit, and to nothing beyond it. In the diocese of Paris, and most other dioceses in France, the Roman breviary has been superseded, and another substituted. All Catholics agree, that the Roman breviary wants reform.

XIII.

It remains for me to mention, that "The "Book of the Roman Catholic Church," has been a subject of regular criticism in THE BRITISH CRITIC,—BRITISH REVIEW,—BLACKWOOD'S EDINBURGH MAGAZINE,—THE CHRISTIAN OBSERVER,—QUARTERLY REVIEW,—QUARTERLY THEOLOGICAL REVIEW,—WESTMINSTER REVIEW, and probably in some journals which I have not seen.

The last Quarterly Review informs the public that Dr. Southey *is arming*, and intimates that Dr. Phillpotts, the Rev. Mr. Townsend, and the rest have left him nothing to reply to. Such, I cannot think, is the general opinion.

At length I close my letter; Doctor Phillpotts closes that, which he has addressed to me, by bidding me—"Good night:"—To you, to him, and to all my other critics, I present the same wish, —and permit me to do it in the words of the priest, at Complin.—

Noctem quietam, et finem perfectam,
Concedat nobis Dominus omnipotens!

With the greatest respect, I have the honour to be,

Your most obedient,
and most obliged humble servant,
CHARLES BUTLER.

Stonor Park,
6th January, 1826.

ERRATA.

Page 12, line 2, *for* Christianity, *read* the Roman Catholic religion.
36, last line, *for* 86, *read* 96.
60, sixth line from the bottom, *for* doctrine, *read* notion.
73, third line from the bottom, *for* happiness, *read* wisdom.

LETTERS

TO

THE REV. GEORGE TOWNSEND,

IN REPLY,

TO

"*His Accusations of History against the Church of Rome.*"

PRELIMINARY LETTER.

SIR,

YOUR "Accusations of History against the Church of Rome," in a series of Letters addressed *to me*, are highly injurious to the Roman Catholic religion. As my "Book of the "Roman Catholic Church" occasioned your publication, I feel myself called upon to answer it.

In every part of it you call us "Romanists." When this word is used to denote our religious communion with the see of Rome, we do not object to it: when it is used to impute to us any political or civil adherence or subserviency to that

see, we think it slanderous: when it is used with a sneer, it evidently is an intentional affront.

As several acts of the Legislature style us, and permit us to style ourselves, "Roman Catholics," and this is our favourite appellation; we trust gentlemen will always give it us. Whatever tends to prevent or soften the asperities of controversy, a true Christian is always ready to adopt.

Before I proceed to my reply, I must observe, that my "Historical Memoirs of the English, "Irish, and Scottish Roman Catholics," should always be taken in conjunction with my "Book "of the Roman Catholic Church." It could not be expected that I should re-write "the Memoirs" in "the Book." I continually refer in it to them: and was much pleased to find that they always were under Your eye when You were employed upon Your publication.

I.

Your assertion, that a decree of the Council of Constance, which an article of the creed of Pope Pius IV. compels every conscientious Romanist to adopt, sanctions the doctrine that faith is not to be kept with heretics.

IN your preliminary letter, (page 17), you cite *the last article but one of the creed of Pope Pius IV*, in which the subscriber of it "professes to receive "all things defined and declared by the sacred "canons and general councils, particularly by the "Council of Trent."

You then cite *the decree of the 19th session of*

the Council of Constance, which declares, that "safe "conducts granted to heretics, by a secular prince, "shall not prevent any ecclesiastical judge from "punishing such heretics, even if they come to the "place of judgment, relying on such safeguard, "and would not otherwise come thither."

You assert, that "this decree, which the creed "of Pope Pius IV. compels every conscientious "Romanist to adopt, sanctions, as plainly as words "can make it, the doctrine, which you truly say, "'I reject with abhorrence,' and which the four "foreign universities consulted by Mr. Pitt's direc-"tion, likewise rejected,—'that no faith is to be "kept with heretics.'"

I answer, 1st,—That all persons, who are acquainted with the jurisprudence of the times in which the council was held, must be sensible, that the canon only intimates, that, when any prince grants a safe conduct, which conflicts with the faith or morals of the church of Christ, or with the legal or constitutional rights of the church of any state, he has exceeded his legitimate authority, and that this exercise of his power is consequently null. Such certainly is the doctrine of every Protestant church, episcopal or aerian. If, before the late act for the relief of the Anti-Trinitarians, a person had published, within any part of the united empire of Great Britain and Ireland, a work against the Trinity, and been prosecuted for it, and then had fled the country, and made some place beyond the seas his residence; and his Majesty had granted

him a safe conduct to any part of his cismarine dominions; this safe conduct would not have protected the offender against the process: the judge would not even have allowed it to be pleaded.

I answer, 2dly,—That the council directs that "the safeguard ought not to prevent any *ecclesi-* "*astical* judge from punishing such heretics." Now an ecclesiastical judge, can, as such, punish only by ecclesiastical censures. No safeguard can prevent an ecclesiastical court from punishing a delinquent by these. This is the acknowledged doctrine, of the Roman Catholic, the Anglican, the Lutheran, and the Calvinian churches.

Thus, the question of the lawfulness of breaking faith with heretics does not arise upon this decree. If the Council of Constance had decreed it to be lawful, it would have covered itself with indelible infamy.

I beg leave to add, that having, in every stage of my long life, lived in habits of intimacy or acquaintance with all descriptions of Roman Catholics,—the young, the old, the literate, the illiterate, natives of this country, foreigners, ecclesiastic and secular, I have never known one, who did not treat the charge of our holding it lawful to break faith with heretics with indignation, and consider it as an execrable calumny. You know the indignation with which the foreign universities express themselves upon it.

II.

Your insinuation, that the Author of "the Book of the "Roman Catholic Church" deserves a harsh name, for intimating, knowing it to be otherwise, that Romanism is founded on Scripture.

IN page 19, You express yourself in the following words:—"Pardon me, if I inquire *whether* "*some part of your third section of the Intro-* "*duction, (page 9), does not deserve a harsh name.* "You believe the doctrines of your church to be "unchangeable: your faith is now what it has "ever been; but this proposition, you observe, is "confined to the articles of your faith, and no "doctrine is of faith unless it be delivered by "revelation, and is proposed as such by your "church. You resolve, therefore, all the deci- "sions of councils, and all the dogmas of faith, "into the authority of Scripture, or you otherwise "reject them as doctrines of your faith. If this "be your meaning, receive my congratulations; if "not, we must look to the formulary of Pope "Pius and the Council of Trent. You, no doubt, "wish to persuade yourself and us, that Romanism "is founded on Scripture." If I rightly understand the charge expressed, or rather insinuated by You in this passage, it is, that I wished the reader to believe, *although I knew the contrary*, that the Roman Catholics hold no article to be of faith, if it be not contained in the Scriptures.

If this be your meaning, and You intimate that the passage which You cited from my work,

deserves, on this account, a harsh name, I must say, that you entirely misapprehend my words, and are wholly ignorant of the Roman Catholic doctrine upon tradition.

The Roman Catholics believe, that both the articles of faith recorded in the Scriptures, and the articles of faith transmitted to them by tradition, were delivered by the *revelation* of Christ to his church, while he dwelt among men.

Nothing, as far as we know, of the doctrine revealed by Christ, was committed to writing during his life. Thus, while he lived, and during many years after his death, all the doctrines which he taught, were divine traditions. Portions of the doctrine thus orally revealed by Christ, were recorded successively, and by portions, in the Gospels and Apostolical Epistles. Roman Catholics believe, that the whole of the doctrine revealed and taught by Christ, was not so recorded; but that the memory of some portion of it, derived originally from the revelations of Christ, was left to remain upon tradition. Thus, to make any doctrine an article of the faith of the church, it must have been revealed by Christ in his life-time. To ascertain, for the security of the faithful, that what the church proposes to them for their belief, was thus revealed by Christ, it is required that this should be declared by the church. Hence, to constitute an article of faith, it is, in our opinion, essential; first, that it should have been revealed by Christ; secondly, that it should have been

transmitted *either* by the Scriptures *or* uninterrupted traditions; and thirdly, that the church should propound that it was thus revealed, and has been thus transmitted.

After this explanation of the doctrine of the church upon this head, I call upon you to declare, whether there be the slightest ground for insinuating that I wished to induce my readers, by an ambiguous expression, to believe what, I knew to be untrue, and deserved, on this *or any other account*, a harsh name, for what I have said in in the passage, you have thought proper to criminate?

If I have mistaken your meaning, I beg you will excuse me; I have taken great pains to discover it.

III.

Your assertions respecting Bossuet's "Exposition of Faith."

I AGREE with you that "*the catechism of the "Council of Trent, is the best exposition of the "Roman Catholic creed.*" But, as I have observed in my introductory letter to Doctor Southey, a proper perusal of that document requires attentive study. I have, therefore, recommended to those who are unable to give it such a perusal, Bossuet's "*Exposition of Faith,*" *and the other works I have specified.* You say, that "*Bossuet's Expo-*"*sition,* contains only the sentiments of a pious "individual." Bossuet was certainly a pious individual, but he was much more. Eloquence, power of argument, and erudition, were united in him in

so high a degree, as to render it very doubtful whether the Christian or Pagan world can produce even one person, in whom they have all been united in the same degree. Nor is the "*Exposition of "Faith*" to be considered merely as the work of an individual. The formal approbation of the archbishops of Rheims and Tours, and the bishops of Châlons, Uséz, Meaux, Grénoble, Tulle, Auxerre, Tarbes, Beziéres and Autun, are prefixed to it. Cardinal Bona, Cardinal Chigi, Hyacinthe Libelli, master of the sacred palace, also approved it. Pope Innocent XI sanctioned it by two briefs. The clergy of France, in their assembly of 1682, signified their approbation of it, and declared it to contain the doctrines of the Roman Catholic church. It has been translated into the language of every country, in which the Roman Catholic religion is either dominant or tolerated. Roman Catholics have but one opinion of it: all, without exception, acknowledge it to be a full and faultless exposition of the doctrines of their church.* I could not, therefore, have referred Protestants to a more authentic exposition of the Roman Catholic creed.

You tell me that Bishop Stillingfleet answered Mr. Gother's "Papist Misrepresented and Repre-

* Permit me to refer you to my Life of Bossuet, chap. VI, or rather to "Histoire de J. B. Bossuet, Evéque de Meaux, composé sur les manuscrits originaux, par M. L. B. de Bausset, ancien Evéque de Alais, vol. I. livre premier, sect. XXXIXe. M. De Bausset was afterwards raised to the archiepiscopal See of Toulouse, and honoured with the Roman purple."

sented;"—Mr. Gother triumphantly replied to Stillingfleet's answer.

Doctor Challoner's "*Garden of the Soul*," having been mentioned by me, as the most popular prayer book of the English Roman Catholics, you ask me, (p. 21), "Whether, if I am a father, "a brother, or a husband, I would place in the "hands of any woman, the contents of pages 213, "214," meaning, I suppose, that part of the Examination of Conscience which contains the sins against the Sixth Commandment? If you ask, whether I should place those very pages in the hands of a woman; I answer, that such an act would be abominable. If you ask, whether I should place the book in her hands, and recommend it as an excellent manual of prayer; I answer, without hesitation, that I should. Notwithstanding the loves, and something worse than the loves of the patriarchs, the story of Judith, and the song of Solomon, You place the Bible in the hands of children and adults of each sex, and recommend it as an excellent book for their perusal. You trust that they will only read it in moments of seriousness, and pass over the noxious passages, when the perusal of them is improper: —We do the same.

IV.

Your assertion, that Arminianism, Calvinism, Quakerism and Socinianism, may be found in the writings of the Romanist divines.

AT the end of your letter, (p. 23), You inform me that, "*You could have, selected from the*

" *writings of the Romanist divines, nearly every* " *doctrinal opinion which is advocated by the jar-* " *ring sectaries of your church.*" " Arminianism," you tell us, " was the doctrine of the Jesuits; " Calvinism, of the Jansenists; Quakerism, of the " Franciscans; Socinianism, in all its gradations, " from Arianism to Belshamism, was taught by " the authors enumerated in the *Roma Raco-* " *viana.*" Here You do the Roman Catholic church, and her communities,—You even do the unhappy Jansenists,—great injustice. No Roman Catholic can advocate any of the jarring doctrines You mention, without incurring, in the opinion of their church, the guilt of heresy. The Jesuits are not Arminians, the Jansenists are not Calvinists,—(but what they are is of no consequence to the Catholic church, as she has rejected them from her communion);—nothing can be more unlike to another than the Franciscans are to the Quakers; and if any Roman Catholic held Socinian doctrines, in any of the gradations you mention, he would be thought, by all Roman Catholics, to have abandoned the Roman Catholic faith. Nothing, except Atheism, or Deism, is so much opposed to the Roman Catholic religion as Socinianism. The late Dr. Hey, the Norisian professor, instructing the English youth from a theological chair at Cambridge, could say, unblamed, " *We and the Socinians are said to differ;* " *but about what? not about morality or about na-* " *tural religion. We differ only about what we do not* " *understand, and about what is to be done on the*

" *part of God; and if we allowed one another* " *to use expressions at will, (and what great matter* " *could that be, in what might be called unmeaning* " *expressions?) we need never be on our guard* " *against each other.*" Permit me, Sir, to assure you, that if in any part of Christendom, in which the Roman Catholic religion prevails, a professor had uttered these, or similar words, he would have been instantly expelled from his professor's chair; and no explanation, no retractation, no penance, would have restored him to it.

V.

Your assertion, that all the new orders of the Romanists appeal to Popery, and protest against the Scripture.

YOU then say to me (p. 23), " *the fanaticism of new* " *sects among us, was the same with that of new* " *orders among you; yet all these appeal to popery,* " *and protest against the Scriptures.*" Here, for want no doubt of proper information, You do us an injustice, that cries to heaven. All the orders of the Church of Rome receive—all bow to the Scriptures—all would consider a protest against them to be blasphemy. Traditions contradictory of the Scriptures, or derogatory from them, are held by all Roman Catholics to be impieties.

LETTER I.

EXTENSIVE DIFFUSION OF CHRISTIANITY.

Your vindication and adoption of Doctor Southey's expression, that the Roman Catholic Religion is "a prodigious "structure of imposture and wickedness."

I. 1.

IN my first letter to Doctor Southey, after describing the extent of the Roman Catholic religion, and observing that Doctor Southey, in the last line of his tenth chapter, describes it, "*as a prodigious "structure of imposture and wickedness;*" I ask that gentleman, whether "it be decorous to apply this "opprobrious language to a religion professed in "such extensive territories, several of which are "in the highest state of intellectual advancement, "and abound, as Dr. Southey must acknowledge, "with persons, from the very highest to the very "lowest condition of life, of the greatest honour, "endowments and worth?" I then inquire, if the religion of this large proportion of the Christian world really be, "this prodigious structure of im-"posture and wickedness," the gates of hell have not, contrary to the solemn promise of the Son of God, prevailed against this church?

To the first of these questions, you give no answer, and therefore your sentiments upon it can only be inferred from your own pages.

To the second, You reply, (p. 24), that "the "promise of God has not failed, because his pure "church is reduced to the smaller number."

Permit me to suggest, that "*smaller*" is not, in this place, the proper word. You should have said "*a number incalculably small.*" For, what is the proportion of the Lutherans—the most numerous of all Protestant denomination of Christians,—compared to that of all other Christians? Is it not incalculably small? Has not the promise of God failed, if it has only been kept to this, or to any other incalculably small proportion of individuals?

To make the proportion of Christians such, as will save the promise, must not the Roman Catholics be taken into account? Then, can the Roman Catholic church be that "prodigious struc-"ture of imposture and wickedness," described by Doctor Southey, and by You?

I. 2.

You intimate (p. 25), "*that if the adherents* "*to Rome are as numerous as I represent,* "*your vigilance must be proportioned to your* "*danger.*"

If, by the words, "adherents to Rome," you mean to describe the English, Irish and Scottish

Roman Catholics, as adhering in politics, or as having a political attachment or subserviency to the Roman see, You affix to them an opprobrious description which they do not deserve, and which they reject with scorn; and You offer to the whole body, and to every individual of which it is composed, a personal insult.

But, let me ask,—have the Protestant Powers on the Continent shown more attachment to England than the Roman Catholic? In Marlborough's wars, who adhered longest to the banners of England, the Austrians, or the Dutch? In the contest with America, which preserved their allegiance to their sovereign, the Catholic or the Protestant colonies? In the French revolution, which soonest deserted England, Austria and Spain, or Denmark, Sweden and Holland? Who was Great Britain's last and most honourable ally, through the whole of that tremendous contest? The Pope. Which party in France now most curses the success of the British arms at Waterloo? and most wishes the complete humiliation of the British nation? The Anti-Catholic.

LETTER II. & III.

THE ANGLO SAXONS.
II. & III. 1.

Identity of the doctrine preached to them, and the doctrine of the Council of Trent.

I HAVE asserted, as you justly observe (page 29), and I now confidently repeat the assertion, "that "the *doctrines of the Church of Rome were the same* "*in the days of St. Augustine, when the Anglo-* "*Saxons were converted, with those which are now* "*received as established by the Council of Trent.*"

In opposition to this assertion, you produce from Bishop Stillingfleet, thirteen instances, in which they differ. I lament that I have not time to discuss them, as I think I could, with very little trouble, show, even to your satisfaction, that, in all the instances of a supposed disagreement between the two churches, which you produce from the works of that prelate, there is not even one, in which he does not misrepresent either the doctrine of the Anglo-Saxon church, or the doctrine of the Council of Trent, or both; or propound conclusions which his premises do not warrant.

To convince you that my assertion is founded, I beg leave to refer you to "*The Protestant's Apology for the Roman Church, by John Brerely, priest,*" (*Tractate I, section* 1, *p.* 57.) He shows, beyond the possibility of disproof, that the most powerful adversaries of the Church of Rome have unequivocally acknowledged the identity of the Anglo-Saxon and Trentine doctrines, and reproached the memory of the Apostles of the Anglo-Saxons with this identity.

The adversary writers, who so describe it, "are "not," says Mr. Brerely, "writers of vulgar note; "but, such as are for learning most accomplished: "as namely, Dr. Humfrey, Carion, Luke Osiander, "the Century-writers of Magdeburgh, and others. "These," he says, "describe the particulars of the "religion as then taught and professed by St. Gre- "gory and St. Augustine. They recite and affirm "the said confessed particulars to be *altars, vest-* "*ments, images, chalices, crosses, candlesticks,* "*censers, holy vessels, holy water, the sprinkling* "*thereof, reliques, translations, and religious de-* "*dicating of churches to the bones and ashes of* "*saints, consecration of altars, chalices and cor-* "*porals, consecration of the fonte of baptism,* "*chrism and oyle, consecration of churches with* "*sprinkling of holy water, celebration of mass,* "*the Archbishop's pall at solemn mass time, (Ro-* "*manarum cæremoniarum codices), Romish mass* "*bookes, (et onus cæremoniarum); a burden of cere-* "*monies; also, free will, merit and indulgences,*

" *purgatory, the unmarried life of priests, publique*
" *invocation of saints, and their worship, and the*
" *worshiping of images, exorcisms, pardons, vows,*
" *monachism, transubstantiation, prayer for the*
" *dead, offering the healthful host of Christ's body*
" *and blood for the dead; the Roman Bishops*
" *claim for the exercise of jurisdiction, and pri-*
" *macy over both churches; and lastly, (reliquum-*
" *que Pontificiæ superstitionis chaos), even the*
" *whole chaos of a popish superstition.*" Upon each of these heads, Mr. Brerely refers to the chapter and verse of the authors, whom he cites. His work being scarce, permit me to offer You the loan of it. I am confident, that if You seriously compare Dr. Stillingfleet with Mr. Brerely, You will find that the prelate, when put into the scales with Brerely, kicks the beam as rapidly as when he ventured into scales with Locke.

II. 2.

Miracles.

The remainder of your letter, contains several passages which I think reprehensible; but I shall confine myself to what You say in page 49, upon *the subject of miracles.*

You express yourself very inaccurately, when, in contrasting your church with ours, you say, "The " Protestant may reject the opinions which reason " or Scripture convince him are absurd. The " Romanist is permitted to reject nothing which " his church has once sanctioned."

All opinions which the church sanctions, BY PROPOUNDING THEM TO HAVE BEEN REVEALED, we are bound to believe: All other opinions she leaves to our reason.

You say, "*we are compelled to assert the miraculous powers of our church.*" This is true. "*We are therefore,*" you tell us, "*compelled to allow that our most absurd legends may be true.*" Here you are completely mistaken. We know and proclaim, that all absurd legends, are, and must be, untrue. "*You dare not,*" say you, "*resign the miracles of the darkest age to their fate.*" We dare, and we do resign them all to their fate. Did not Cardinal Bellarmine,* in the fifteenth century, profess general incredulity of the miracles related by Metaphrastes? Did not Lewis Vives,† in the sixteenth century, cry aloud, "What a shame it is "to the Christian world, that the acts of our "martyrs have not been published with greater "truth and sincerity?" Does not Dr. Milner‡ admit, that "a vast number of incredible and false "miracles, as well as other fables, have been "forged by some and believed by other Catholic "writers, in every age of the church, not except "even that of the Apostles?" Does he not reject, in the wholesale, "the miracles related in the "*Golden Legend of Jacobus Voragine*; those re-"lated in the *Speculum* of *Vincentius Bellua-*

* Cited by Bellarmine in the Preface to Acta Sanctorum.

† Liber II. de Causis Corruptarum Artium.

‡ End of Controversy, Letter XXIV.

"*censis?*" Does any Roman Catholic credit those which rest solely upon the credit of *Surius* or *Mombritius?* Does not Doctor Lingard* reprobate the credulity of Osbert, the biographer of St. Dunstan? Does he not admit that 'many of the Anglo Saxon miracles shrink from the severity of criticism.'

I desire you to read with attention, what I am now going to write.

I have mentioned, in my third letter to Doctor Southey, that no miracles, except those which are related in the Old or New Testament, are articles of faith; that a person may disbelieve every other miracle; and that he may even disbelieve the existence of the person by whom they *are said to be wrought without ceasing to be a Catholic.* Supposing a Protestant to present himself to a Roman Catholic priest,—to request that priest to receive him into the Roman Catholic church,—and the priest to find him well instructed and well disposed; Supposing the Protestant then to tell the priest, that candour required him to say, before they proceeded further, that, while he sincerely believed that Christ had delivered to his church the power of working miracles, there was not even one miracle,—(speaking of it in particular),—except those recorded in Scripture, which he believed:—Would this prevent the priest from

* Antiquities of the Anglo-Saxon Church, chap. IX. XII. n. 6.

receiving him into the Roman Catholic church? By no means. The priest would say, "ALL "THE MIRACLES RELATED IN THE SCRIPTURE "YOU MUST BELIEVE. I CANNOT RECEIVE "YOU INTO THE CHURCH UNLESS YOU BE- "LIEVE THEM. ALL OTHER MIRACLES YOU "MAY LEAVE TO THEIR FATE: THE CHURCH "DOES NOT REQUIRE OUR BELIEF OF ANY "ONE MIRACLE AMONG THEM."

LETTERS IV. & V.

ALLEGED PURER FAITH OF THE WELSH CHRISTIANS.

THESE Letters contain several observations which I think reprehensible. I shall notice one only of them.

" Dr. Lingard," you say, (p. 54), " *has asserted* " *that the Welch must have had the same faith as* " *Augustine: for he invited them to join in con-* " *verting the Saxons:—this,*" you remark, " *is* " *true; but they were not to be permitted to join* " *in the work, unless they first submitted to certain* " *decisions of the church of Rome.*"

Now, what were the conditions which these decisions required? Dr Lingard * informs us, that St. Augustine only required that they should observe the original computation of Easter; and should conform to the Roman rite, in the administration of baptism. Both were matters of discipline, and faith was concerned in neither. Thus, the demands of St. Augustine do not show that the church of Rome and the church of Wales differed in a single article of faith.

* Antiquities of the Anglo-Saxon church, page 48.

LETTER VI.

ST. DUNSTAN.

WHAT you say in this letter only calls upon me to notice the terms in which you mention my account of the disastrous event which happened at the assembly convened at Calne. I transcribe your words, (p. 58.) "When you perused the "story of the falling in of the floor at the Council "of Calne, did you suddenly cease to read, before "you came to that part which excites the suspicion "of a trick, and which, *as an honest historian*, you "would undoubtedly have mentioned, namely, that "the beams and rafters did not give way, till the "nobles, who refused to yield, reproached Dun-"stan, who thereupon cried out, 'I confess I am "unwilling to be overcome; I commit the cause "of the Church to the decision of Christ.'"

What can You mean? The whole of this passage You will find inserted, almost verbatim, in the very letter upon which You are now commenting. I there relate from Dr. Southey, that "the speech of "Biornhelm, a Scottish bishop, produced a great "effect, and Dunstan did not attempt to answer "it: he had laid aside, says his biographer, all "his means, but prayer; 'you endeavour,' says "he, 'to overcome me, who am now growing old, "and disposed to silence rather than contention.

" I confess I am unwilling to be overcome, and " I commit the cause of the Church to Christ him- " self, as judge.' No sooner had these words been " spoken than the beams and rafters gave way."

I do not *again* mention the circumstances of the archbishop's speech, when I wind up the whole of the transactions in the last lines of my letter, not quite seven lines from the passage I have transcribed.

There, I thus express myself:—" That a council " was held at Calne; that, during its sitting, the " floor fell in; that the ecclesiastics, the nobles and " the other members, who attended it, were cast " into the ruin; that several lost their lives or " were materially injured, and that Dunstan re- " mained unhurt by standing on a beam, are the " only circumstances which *history* has transmitted " to us."

But history has not transmitted to us the archbishop's speech.

It is perhaps to my omitting to mention St. Dunstan's speech in this place, that you sneer at me, and impute "*historic dishonesty*" to me:—hear my reasons for the omission:—

1.—The speech is not mentioned by the contemporary historians: they are wholly silent upon the synod at Calne.

2.—*Ten* historians,—Malmsbury*, Huntingdon, † Hoveden, ‡ Simon Dunelmensis, § Matthew

* De Pont, p. 34. † p. 205. ‡ p. 245. § p. 159.

Westminster*, Florence of Worcester,† Brompton,‡ Gervase,§ Rudborne,‖ and the Saxon Chronicle,¶ mention the synod, and the disaster, but do not mention the archbishop's speech.—"This year," says the Saxon Chronicle, a faithful register of the times, "the principal nobility of "England fell at Calne from an upper floor, except "the holy Archbishop Dunstan, who stood upon "a beam; and some were grievously hurt, and "some did not escape with their lives."

3.—Both the disaster and the speech are mentioned by Osbern.

Putting then in one scale Osbern's mention of the speech, with his acknowledged ridiculous proneness to the marvellous, and on the other, the absolute silence of the ten historians upon the speech, can it be said with truth, that the speech is recorded by history?

If You really believe the charge against St. Dunstan, allow me to say, that never was so foul a crime believed upon less evidence.

I have said too much upon the charge you have brought against me in this place; but such is the consequence of controversy; a line of sneer or misrepresentation often requires hours of research, and pages of explanation or defence.

* p. 103. † p. 697. ‡ p. 870. § p. 1647.
‖ Ang. Sax. Vol. I. p. 225. ¶ p. 124.

LETTERS VII. & VIII.

I. INVESTITURES AND IMMUNITIES:
II. ST. THOMAS À BECKET:
III. TEMPORAL POWER OF THE POPE.

IN the beginning of your first letter, You give the monks some praise: As to your charge against them of "erasing manuscripts," I do not think it unlikely, that sometimes they were guilty, as You say they were, of "erasing a Greek "tragedy, to write on the parchment an inferior "composition;" but that "they erased from "parchment any portion of the Scripture for "such a purpose," appears to me so highly improbable, that proof of it must be produced before I believe it.

I.

Investitures and Immunities.

The account of *Investitures*, inserted in my letters to Doctor Southey, is an abridgement of the account given of them in my "*History of* "*the Germanic Empire.*" * Both were written with care; and nothing in the letters, which You have done me the honour to address to me, leads me to suspect any error in them. I do not think

* Part III. Emperors of the House of Suabia I. II. III.

that sovereigns are entitled by divine right, to appoint to the sees of bishops: You seem to ascribe this right to them: You know that it is rejected by all the Presbyterian churches; and with what bitter words of indignation, Calvin expressed himself of Elizabeth's assumption of the *spiritual* supremacy.

Of *Immunities*, I shall only confidently repeat, that no Roman Catholic imagines that ecclesiastics are, or even were, entitled by divine right, to the immunities for which Becket contended, in the first stage, as I have termed it, of his controversy with his sovereign.

II.

Saint Thomas à Becket.

The account given of this controversy in my letters to Doctor Southey, was abridged from the account which I had several years before given of it in my "Historical Memoirs of the English, "Irish, and Scottish Catholics."* This was written after an attentive and dispassionate perusal both of the ancient and modern historians of this period of our history; I beg leave to insert as succinctly as possible, the conclusions to which I then arrived, after much reading and much meditating upon the subject.

1.—That the point in dispute respected the punishment of clerks for felony: the king con-

* Vol. II. chap. IV.

tending, that they should be first degraded by the ordinary, and then put into the hands of the magistrate, to be tried in the king's courts: the archbishop insisting, that for the first crime, the clerk should be tried in the bishop's court, and that, if he were convicted, he should be degraded and punished by spiritual inflictions, either with or without fine, imprisonment or flagellation, at the *will* of the court; but the prelate admitted, that a degraded clerk forfeited the protection of the ecclesiastical law; so that, if after his degradation he was guilty of felony, he might be prosecuted in the king's courts.

2.—That the point at issue between the king and the prelate was,—not what the law was before the Norman conquest, but, what it was at the actual time of the dispute: to this I beg leave to call your particular attention.

3.—That the Constitutions of Clarendon professed not to reform, or make an alteration in the law, but to describe its actual state; asserting, at the same time, that such as it *then* described it, such it had been from the first.

4.—That some of these Constitutions propounded what never had been,—what never afterwards was,—and what is not now the law of England.

5.—And therefore, that, on the merits, to use a legal term, the archbishop was completely in the right, and the monarch completely in the wrong.

To prove against Doctor Southey, that several of the Constitutions of Clarendon were *innovations*

upon the actual state of the law in the reign of Henry II, I quoted a passage from Mr. Sharon Turner's History of England. In a note to your eighth letter, you say, (p. 75), "Mr. Butler "(p. 84) has quoted one half only of this passage, "to prove a point which was confuted by the "remainder." To disprove this charge, I shall now transcribe the whole passage, * and leave it, without note or comment, to the sentence of the the reader. The part quoted in my letter to Doctor Southey, is printed within the brackets.

"[In justice to Becket, it must be admitted, "that these famous articles *completely changed* "the legal and civil state of the clergy, and were "an actual *subversion*, as far as they went, of "the papal policy and system of hierarchy, so "boldly introduced by Gregory VII.] These *new* "Constitutions *abolished* that independence on the "legal tribunals of the country, which *William* "*had unwarily permitted*, and they *again* sub-"jected the clergy, *as in the time of the Anglo-*"*Saxons*, to the common law of the land. The "eighth article vested the ultimate judgment in "ecclesiastical causes in the king; by the fourth, "no clergyman was to depart from the kingdom "without the royal licence; and, if required, was "to give security, that he would do nothing "abroad to the prejudice of the king or the king-"dom; by the twelfth, the revenues of all pre-

* Turner's History of England, Vol. I. p. 213.

"lacies, abbeys, and priories, were to be paid into "the exchequer during their vacancy, and, when "the successor should be appointed, he was to do "homage to his king, at his liege lord, before his "consecration. These, and other points in these "celebrated Constitutions, though wise and just, "and *now* substantially the law of the land, were "yet so hostile to the great papal system of "making the church independent of the secular "power, if not superior to it, that *an ecclesiastic "of that day, according to the prevailing feeling "of his order, might have resisted them.* The "fault of Becket lay in taking the prelacy with "a knowledge of *the king's intention to have these* "NEW LAWS *established*, and in provoking the "contest and pursuing his opposition with all the "pride and vehemence of fierce ambition, and "vindictive hostility."

III.

*Temporal Power of the Pope.**

1.—*The Roman Catholics believe*, that the Popes do not profess, directly or indirectly, by divine right, any title whatever to temporal power, either in secular or spiritual concerns.

In my "*History of the Revolutions of the*

* I beg leave to refer to the account which I have given of the authority of the Pope, in the tenth Letter in "The "Book of the Roman-Catholic Church."—This work has been translated into French, and I have the satisfaction to find it is approved.

" *Germanic Empire,*"* and my " *Historical Me-*
" *moirs of the English, Irish, and Scottish Ca-*
" *tholics,*"† a succinct account is given of the rise, extension, decline and fall of the Pope's temporal power.

I first mention‡ the *rise of the Pope's temporal power:* I have thus abridged it in my seventh letter to Doctor Southey: " From an humble
" fisherman, the Pope successively became owner
" of houses and lands, acquired the power of
" magistracy in Rome, and large territorial posses-
" sions in Italy, Dalmatia, Sicily, Sardinia, France
" and Africa; and ultimately obtained the rank
" and consequence of a great temporal prince."

I then proceed as follows:—

" 2.—" *The Popes soon advanced a still higher*
" *claim.* In virtue of an authority, which they
" pretended to derive from heaven, some of them
" asserted that the Pope was the supreme tem-
" poral lord of the universe, and that all princes
" and civil governors were, even in temporal
" concerns, subject to them. In conformity to

* " A succinct History of the Geographical and Political
" Revolutions of the Empire of Germany, or the principal
" States which composed the Empire of Charlemagne, from
" his Coronation in 800 to its dissolution in 1806, with some
" account of the Genealogical House of Hapsburgh, and of the
" six secular Electors of Germany, and of Roman, French and
" English Nobility. 8vo. Printed separately and in the
" second volume of the writer's works."

† Vol. I. ch. VII.

‡ Hist. of Germ. Emp. Part. III. Sec. III.

" this doctrine they took upon them to try, con-
" demn and depose sovereign princes, to absolve
" subjects from their allegiance to them, and to
" grant their kingdom to others.

" That *a claim so unfounded and impious, so*
" *hostile to the peace of the world, and apparently*
" *so extravagant and visionary*, should have been
" made, is strange:—stranger still, is the success
" it met with. There scarcely is a kingdom of
" Christian Europe, the sovereign of which did
" not, on some occasion or other, acquiesce in it,
" so far at least as to invoke it against his own
" antagonist; and, having once urged it against
" an antagonist, it was not always easy for him
" to deny the justice of it, when urged against
" himself."

In a further part of the same work, * I mention *the decline of the temporal power of the Popes.* I assign it " to their *extravagant pretensions, un-*
" *just enterprises, and dissolute lives*;—to the
" transfer of the papal see to Avignon; to the
" grand schism; to the discussions at the Councils
" of Constance, Basle and Pisa; to the writings
" of the men of learning of those times; and to
" the rough attacks of the Albigenses, Wickliffites,
" Waldenses, and the other seperatists from the
" church, in the 14th and 15th centuries."

3.—Finally, † I describe the *total fall* of the Pope's temporal power. I notice the leading events

* Hist. of Germ. Empire, Part IV. Sect. 4.
† Ibid - - - d° - - Sect. 5.

in this part of its history. I then mention, that "its fall was suspended for a time by the French "league and other events, which divided many "European states into a Roman Catholic and a "Protestant party. The influence," I then observe, "which this gave the Popes, made them "venture on *those* ENORMITIES *which now excite so* "*much astonishment,—the bulls by which they ab-*"*solved the subjects of Henry* IV *of France,* AND "OUR ELIZABETH, *from their allegiance and* "*their concurrence in the league.*"

4.—I then notice, 1st, The successful resistances of the temporal states in communion with the see of Rome, to the claims of the Popes to temporal power, in spiritual concerns. 2d, Those particularly of the Venetians to the claim of Pope Paul V. to the exercise of temporal power in their territory. 3d, I observe, that the falling fortunes of the claim induced Cardinal Bellarmine to propose a middle opinion upon it. 4th, I afterwards mention the attempt of Pope Innocent to annul by a protestation, in the form of a bull, several articles in the treaty of Westphalia, and the absolute inattention shown to this protestation, by the Catholic as well as the Protestant powers of Europe. I then mention the celebrated declaration of the clergy of France, in 1682. "It is," I say, "expressed in "Four Articles:" by the first, "they declare, that "kings and princes are not subject in temporal "concerns, to ecclesiastical power; and cannot "be deposed directly or indirectly by the authority

" of the keys of the church; nor their subjects " discharged from the allegiance and duty which " they owe them."* I then observe, that the three other articles became subjects of dispute; but that, in the declaration of the independence of the civil powers upon the spiritual, the Roman Catholics " on this side of the Alps, universally " acquiesced."

I conclude with these words, " that such a " claim should have been made is one of the " greatest misfortunes which have befallen Chris- " tianity."

I must now add, that up to the very moment of the French Revolution, the Gallican declaration of 1682 was signed in France by every bishop, by every secular and regular ecclesiastic, by all professors of theology, and batchelors of divinity and canon law, and taught in all the schools; and that the Pope granted institution to all the prelates, and

* It may not be improper to transcribe in this place, the language of the original:—" Nous declarons en consequençe, " que les rois et les souverains ne sont soumis a aucun puissançe " ecclesiastique, par l'ordre de Dieu, dans les choses tempo- " relles; qu'ils ne peuvent etre deposée directement ou in- " directement, par l'autorité de clefs de l'eglise; que leur " sujets ne peuvent être dispenser de la soumission, et de " l'obeissance qu'ils leur doivent, ou absous du serment de " fidelité; et que cette doctrine, necessaire pour la tranquillité " publique, et non moins avantageuse a l'eglise que l'etat, " doivent etre inviolablement suivie comme conforme, a la " parole de Dieu, a la tradition des saints peres, et aux ex- " amples des saints."

acknowledged himself in communion with all the ecclesiastics and others who thus signed it.

In the negociations between Pius VII and Napoleon, the latter vehemently urged the Pope to sign the articles of 1682. The Pope pertinaciously refused to sign the three last, but declared that his signature of the first was attended with no difficulty.*

I also beg leave to refer You to the statutes passed in this country before the Reformation, against the temporal power of the Pope, † and to the frequent instances of resistance by the Roman Catholic sovereigns of these realms to the Pope's temporal pretensions.‡

Permit me to mention further,—the answers of the foreign universities to the questions proposed to them, by the direction of Mr. Pitt, and to the oaths taken by all his Majesty's Roman Catholic subjects.

At the end of my letters to Doctor Southey, I have inserted these questions, and the answers:

* *Fragmens relatifs a l'histoire ecclesiastique du XIX siécle, page* 307. *Le Saint Pere nous a repété plusieurs fois, qu' il n'etait pas dans son intention de rien faire de contraire a la declaration en* 1682; *ajoutant, que si il ne s'agissdit que du premier article, qui concerne la temporalité, et qui seul importe a la tranquilité des etats, il y souscriverait sans difficulté.* Derniere lettre addressée par les Eveques Deputés A. S. E. le Ministre des Bulles, a leur retour de Savonne.

† See Historical Memoirs of the English, Irish and Scot' Cath. Vol. I. ch. VI.

‡ Ibid - - Vol. I. c. VII.

I have also inserted the oath of allegiance taken by his Majesty's Roman Catholic subjects; I shall insert them at the end of the present publication.—We swear by our oaths, "true allegiance to his Majesty, his heirs and successors, according to the act of settlement;—we renounce obedience and allegiance unto any other person, pretending a right to the crown of these realms;—we reject what we there expressly term, *the unchristian and impious principle*, that faith is not to be kept with heretics;—the deposing doctrine;—the belief that the Pope, or any other foreign potentate, hath any temporal or civil jurisdiction, power or pre-eminence, directly or indirectly within these realms;—we protest against all equivocation and mental reservation,—and against believing ourselves to be acquitted *before God or man*, or absolved of the declaration, by the Pope or any other authority."

LETTER IX.

KING JOHN.

JUSTICE is due even to the devil: and therefore although I condemn the conduct of King John quite as much as Yourself, and have declared, in the letter to which You now refer, that both the monarch and the Pope were "inexcusable," and that the ceremony, by which the former transferred his crown to the latter, was "ignominious," I thought myself obliged to mention some circumstances attending it, not sufficiently noticed by historians, which appeared to me to show, that, although the conduct of the pontiff was highly blameable, and deserved the severest reprobation, the conduct of the king and his spiritual and temporal lords, merited at least an equal share of reproach.

IX. 1.

Your declaration, that You are almost tempted to believe all the accusations of Protestants against the fairness and candour of the Church of Rome;—and could also accuse me of insiduous Jesuitism, for my representation of the conduct of king John, in the cession of his kingdom to the Pope:—

Addressing yourself to me, You say (page 86),—

" You do not indeed defend the transaction:—but " you endeavour to palliate it, by a plea, which " almost tempts me to the charge of illiberality, " in declaring *my belief in all the accusations of* " *Protestants against the fairness and candour of* " *the Church of Rome.* I could almost accuse " *you of insidious Jesuitism*, when you venture to " observe, that the submission of John took place, " under a national apprehension of a French " invasion, and omit to tell us, that the Pope was " the cause of the danger."

My expression is not only unobjectionable, but critically accurate.

Pope Innocent's transfer of the sovereignty of England to Philip of France, is an event, which I am confident was known to every person who has perused my letters to Doctor Southey. This circumstance alone vindicates me against your charge: But it is not all: Rapin, Hume, and all other historians inform us, that, *before the ceremony was agreed to*, a complete division of interests had taken place between the pontiff and Philip. The former had become jealous of the latter, as, " after such mighty " acquisitions he might," to use the words of Hume, " become too haughty to be bound in spiritual " chains;" and had therefore sent Randolph on a secret mission to John, " offering to take him " into his protection *against the French monarch's* " *arms*, if he would consent to hold his kingdom " from him in vassalage." This placed the

monarch "between two precipices, equally dan-
"gerous; he was under a necessity of casting him-
"self down one or the other." These are the words of Rapin,* If the monarch refused the offers of the pontiff, he must have surrendered his kingdom absolutely and without reserve to the French monarch: if he submitted to the pontiff, he would retain his kingdom,—shorn it is true, of its beams, —but still, one of the most powerful kingdoms of Europe:—The monarch and the barons preferred the latter. From this time; their contest was not with the Pope, or with the French monarch, acting under or executing the commands of the Pope, but, with the French monarch, acting independently of the Pope, and in the most direct opposition to him. All historians agree in describing the rage, the resentment and the hostilities of Philip.

My expression therefore is justified.'

IX. 2.

Your charge, that the third canon of the Fourth Council of Lateran, is an article of the faith of Roman Catholics;—that it declares the Pope's divine right to Temporal Dominion;—and that the disclaimer of it by the Roman Catholics, is not valid and cannot be depended upon, in consequence of their acknowledgment of the paramount authority of the Council.

This disclaimer You contend, is "unsatisfactory;" and You proclaim that "it will be un-
"justifiable in Protestants to rely upon it, till the "*Pope and his government* shall formally dis-

* Fol. Edit. Vol. i. p. 272.

" claim the right of the Pope to temporal domi-
" nion beyond his own temporal territories." I collect that the following is an out-line of Your reasoning upon this subject:—

1. The creed of Pius IV. contains an article, by which the subscribers of the creed recognize and declare their belief of all the doctrines of the general councils:

2. The fourth Council of Lateran was a general council, and was confirmed by the Council of Trent, also a general council:

3. The third canon of the fourth Council of Lateran enjoins the deposition of heretical princes:

4. It is therefore an article of the faith of Roman Catholics, that it is their duty, or, at least, that it is lawful for them to depose heretical princes:

5. By this tenet, they recognize the temporal dominion of the Pope in all Christian states, to be an article of their faith:

6. It is true, that this doctrine has been disclaimed by the English, Irish and Scottish Catholics upon oath:

7. But, it is also true, that their oaths on this subject cannot be relied upon, because they are necessarily taken with the reserve of the obedience due by Catholics to the canons of general councils,—and consequently, with the reserve of the obedience due by them to the third canon of the fourth Council of Lateran,—if the Pope should require their obedience to it:

8. Hence their oaths and declaimers are not absolutely valid:

9. And nothing can give them absolute validity, or that validity which it is justifiable for a Protestant to rely upon, except a declaration of as high authority as that which enacted the canon.

I have endeavoured to express your sentiments accurately: I trust I have succeeded.

I shall discuss them separately.

But before I proceed,—I must protest against the great impropriety of requiring from Roman Catholics, any thing like argument or proof, to show that their oaths, or even their mere declarations, are to be relied upon. When such a body as the British and Irish clergy, nobility and gentry, solemnly deny their belief or disbelief of a particular doctrine,—to put them to the proof of the truth of this belief or disbelief, is to insult the Broad-Stone of honour: Every gentleman *feels* they should be believed without parlance.

But since proof is called for,—humbling as it is, —let us produce it:—

IX. 3.

Discussion of the Charge.

1.—I shall first transcribe the *Article in the Creed of Pius IV.*

" I also profess, and undoubtedly receive, all " other things delivered, defined, and declared " by the sacred canons, and general councils, and " particularly by the Holy Council of Trent; and " likewise, I also condemn, reject and anathema- " tize all things contrary thereto, and all heresies " whatsoever, condemned and anathematized by " the Church."

Here, allow me to make two observations, which, in the present discussion, and in every discussion of the same nature, should always be kept in mind:—1. That the councils mentioned in this article of the creed of Pope Pius IV. are general or œcumenical councils, and none other: —2. And that the decrees, even of these councils, are only articles of faith, when they propound doctrines to be believed as articles of faith by the universal church. All doctrines propounded by particular councils, or even propounded by general or œcumenical councils, but not proposed by these to be articles of faith, a Roman Catholic may disbelieve, without ceasing to be a Roman Catholic. This, in discussions like the present, should never be forgotten.

2.—I shall now *briefly state the formation of the fourth Council of Lateran.*

Pope Innocent III. had convened this council to meet at the patriarchal church of St. John, at the Lateran-gate, in the city of Rome. Being the fourth council held in this church, it is usually called the fourth council of Lateran: it is considered by Roman Catholics to be the eighth general or œcumenical council.

It was attended by 412 prelates, among whom were the patriarchs of Constantinople and Jerusalem, and by 71 primates or metropolitan prelates, by 800 abbots or priors, and by a considerable number of deputies from absent ecclesiastical dignitaries. Frederick, the emperor elect of Germany, the emperor of Constantinople, the kings of England, France, Hungary, Jerusalem, Cyprus and Arragon, and several princes of the second order, attended it by their ambassadors.

Thus, it was not only a general or œcumenical council: it was also a convention, both of the ecclesiastical and temporal states of Europe, acting in person or by their deputies. The Pope presided in person over the council.

His holiness presented to the council seventy canons, which he had caused to be framed. The first is a profession of faith, containing several counter-positions to the errors of the Albigenses; and a denunciation of anathema against all the heretics which it proscribed.

3.—*The third canon of this Council of Lateran* is expressed in these terms.

It enjoins, that "heretics shall, after their con-

" demnation, be delivered over to the secular " powers. The temporal lords are to be admo- " nished, and, if it should be found necessary, " compelled by censures, to take an oath in public, " to exterminate heretics from their territories. If " the temporal lord, being thus required and ad- " monished by the church, shall refuse to purge his " land from heretical pravity, he shall be excommu- " nicated by the metropolitan and his suffragans: " on his neglect, during twelve months, to give " them satisfaction, this shall be notified to the " Pope, and, upon such information, his holiness " shall denounce the offender's vassals to be ab- " solved by law from their obligation of fealty, and " expose his lands to be occupied by catholics, " who, having exterminated the heretics from it, " shall possess them without any contradiction, and " preserve them in the purity of the faith, saving " however the right of the superior lord, provided " that he raised no objection to impede the pro- " ceeding. The same method of discipline is like- " wise to be observed towards those who have no " superior lord."

IX. 4.

Particular Discussion of the third Canon of the Fourth Council of Lateran.

Thus far, I believe, we are agreed. Your remaining positions set us asunder, far as pole from pole.

As the subject is of importance; as the argu-

ments, which you draw from it, are highly injurious to the Roman Catholic Church; and, as they are the groundwork of your publication, and incessantly occur in it, I shall give this celebrated canon particular consideration.

I.—I must first observe, that, what are termed the canons of the fourth Council of Lateran were not *decreed* by the council, but *only propounded* to it by the Pope; and that the members of the council separated, without having come to any resolutions upon them.*

* This is proved by Dupin in his work, "De Antiquâ Ecclesiæ Disciplinâ, Dissertationes Historicæ; Dissert. VII. ch. iii. s. 4." I shall transcribe his words :—

He cites the canon, and the assertion that it proves the doctrine of the deposing power, and then procceds in these words :—"Respondeo primò: Nec ecclesiam, nec concilium generale eam repræsentans quidquam habere juris in temporalia regum bona, nec de iis aliquid statuere posse; quippe cum regum potestas immediatè à Deo sit, nemo eam iis auferre potest, aut aliquid juris alteri in eam tribuere, præter ipsummet Deum. Ergo, etiam si ecclesia vel concilium hujusmodi sibi arrogaret autoritatem, non propterea regibus eâ cedendum foret. Sicut ecclesia non debet legibus principum parere, cum in destructionem legis Dei conditæ sunt. Et certé definitiones conciliorum etiam generalium nullam vim habent, si ferantur circa res, quæ non pertinent ad religionem & fidem, puta circa res naturales, astronomicas, atque etiam politicas; & si quid de iis statuant, non tenemur eorum decretis tanquam infallibilibus adhærere; quapropter canon ille, cum sit de negotio civili, nullam vim habere potest nisi ex consensu regum.

"Respondeo secundo: Hunc canonem non fuisse ab universo concilio conciliariter, ut loquuntur, conditum; sed à solo

It necessarily follows, that those canons only of the council can be considered as decrees of the

" Papa Innocentio, qui concilii canones ipse composuit & " digessit. Primo enim testantur historici complures nihil " in eo concilio statui potuisse. Sic loquitur Nauclerus gene- " rat s. 4. ad annum 1215. *Venêre*, inquit loquens de concilio, " *multa tum in consultationem nec decerni tamen quidquam* " *petuit.* Et mox. *Editæ tamen nonnullæ constitutiones re-* " *periuntur.* Idem tradit Platina in Innocentio III. *Venêre* " *multa tum quidem in consultationem, nec decerni tamen quid-* " *quam aperté potuit. Quod, & Pisani & Genuenses maritimo et* " *Cisalpini terrestri bello inter se certabant: Eo itaque proficis-* " *cens tollendæ discordiæ causâ Perusii moritur.* Godefridus " Viterbiensis ad annum 1215. *In hoc concilio*, inquit, *nihil* " *dignum memoriâ quod commendari possit, actum est, nisi quod* " *orientalis ecclesiæ se subditam Romanæ exhibuit.* Et certé si " in eo concilio promulgati sunt canones, qui sub ejusdum " concilii nomine feruntur ab Innocentio III, non à toto " concilio conditi sunt. Hinc in titulo hujus concilii à Jacobo " Middemportio inter opera Innocentii III. edita Coloniæ apud " Cholinum anno 1607, sic habetur. *Sacri concilii generalis* " *Lateranensis sub domino Innocentio Pontifice maximo hujus* " *nominis tertio celebrati, anno Domino* 1215. *Decreta sub eodem* " *Innocentio conscripta.* Eadem habetur ex Matthæo " Parisiensi, in Historiâ Angliæ ad annum 1215. *Celebrata* " inquit, *est Romæ synodus universalis præsidente Papâ domino* " *Innocentio III. in quâ fuerunt episcopi* 412, *&c. His om-* " *nibus congregatis facto priùs ab ipso Papâ exhortationis* " *sermone recitata sunt in pleno concilio sexaginta capitula, quæ* " *gliis plausibilia, aliis videbantur onerosa; tandem de negotii* " *crucifixi terræ sanctæ verbum prædicationis exorsus, &c.* Idem, " autor in Historia Minori, ut refertur in antiquitatibus Bri- " tanicis in vitâ Stephani Langthoni, *Concilium* inquit, *illud* " *generale quod more Papali grandia prima fronte præ sese tulit* " *in risum & scomma; quo archiepiscopos, episcopos, abbates*

church, so far as they were subsequently accepted by her:

But the church never has accepted the third canon:

Therefore it is no canon of the council.

II.—It is also to be observed, that the third canon is an interpolation.*

III.—But taking the authenticity and validity of the canon for granted, it must be considered,—

1st.—That, according to the doctrine of the Roman Catholic Church, neither the Pope nor the church has any power to interfere in the temporal concerns either of catholics or non-catholics, or to inflict temporal penalties of any kind, or for any cause, upon either:

" *omnesque ad concilium accedentes artificiosè ludificatus est,* " *desiit. Illi enim cum jam nihil geri in tanto negotio cernerent,* " *redeundi ad sua cupidi, veniam sigillatim petierunt, quibus Papa* " *non concessit, antequam sibi grandem pecuniam promississent* " *mercatoribus Romanis priùs accipere mutuo Papæque solvere* " *coacti sunt antequam discedere Româ potuissent. Papa jam* " *acceptâ pecuniâ quæstuosum hoc concilium dissolvit gratis,* " *totusque clerus abiit tristis.* Hic autem historicus ne sus- " pectus habeatur, laudatus est ab Innocentio IV. ut constat " ex litteris ejusdum Innocentii, quas ipse refert in Historiâ " Angliæ.

" Itaque nulli à concilio canones sunt conditi sed quædam " a Pontifice Romano decreta sunt confecta & in concilio lectâ " quorum nonnulla plerisque videbantur onerosa: sed vel ex " ipsâ istorum canonum lectione patet eos non fuisse a con- " cilio editos, vel non eo modo qui nunc habentur."

* Collier's Ecc. Hist. Book II. p. 424.

2d.—That, when a council is assembled, and both spiritual and temporal powers attend, or act in it, the proceedings of the council, so far as they regard spiritual concerns, or the exercise of spiritual authority, derive their origination and effect from the spiritual power; and, so far as they regard temporal concerns, or the exercise of temporal authority, derive their origination and effect from the temporal powers.

3d.—And that, whenever any temporal power withdraws its concurrence in any temporal legislation of a council, that legislation ceases in the state thus withdrawing its concurrence.

It follows,—

1st.—That the third canon of the fourth Council of Lateran,—(taking its authenticity for granted, which for the sake of argument, I allow, but do not admit),—being, so far as it respected the temporal penalties inflicted by it, an act of temporal legislation,—was no longer in force, in respect to any state, than the concurrence of that state in the temporal legislation of the canon, continued:

2d.—That all the temporal states represented in the Council of Lateran, having withheld or withdrawn their concurrence in the temporal legislation of the third canon of the council, the canon, as to the temporal penalties inflicted by it, became, if it ever was in force, an absolute nullity in respect to these:

3d.—And that the same may be said of every other canon or ecclesiastical provision of the

church, which relates to a temporal concern, or is to be carried into effect by temporal power. Such a canon or provision never had any legal effect in any state, unless it had the sanction of that state, and its legal effect in it continued no longer than the state sanctioned it.*

That this is the proper construction of the canon is proved beyond controversy, by a transaction, which took place soon after the council broke up. Pope Honorius, who succeeded Innocent, required the Emperor Frederick, to insert in the constitutions of the empire, a canon similar to the third canon of the fourth Council of Lateran. The Emperor inserted it, but *with a material alteration.*† Is not this a direct acknowledgment by the Pope himself, that, without the sanction of the temporal power, the canon, so far as it contained temporal provisions, had no effect.

The manner in which the Council of Trent has been received by Roman Catholic states, renders every discussion of this subject unnecessary. All the Catholic powers agreed both theoretically and practically, that, so far as the council affected to regulate temporal concerns, or inflict temporal

* See Bossuet's Defense de la Declaration de Clergé de France, L. IV. ch. 1, 2, 3, 4, ou l'on demontre par l'histoire, que l' Eglise ne faisait rien a l' regard des Seigneurs, et des affaires et de leur consentment. See Goldastus Const. Imp. Tom. II. p. 295.

† See the writer's Historical Memoirs of the English, Irish, and Scottish Catholics. Appendix, Note III.

penalties in their dominions, the validity of its provisions depended on their pleasure.

There is not in Europe a Roman Catholic state, in which the council has been received without this limitation.

IV.—Admitting, however, the authenticity of the canon, and that it cannot be defended on the ground which has been suggested, still the canon was not a dogma of faith, or propounded as such by the council; it was merely an ordinance of exterior discipline, which had no force upon individuals till received by the ecclesiastical power in what concerned the church, and by the civil power in what concerned the state.*

Thus,—I have clearly and incontestibly demonstrated, that the third canon of the fourth Council of Lateran, expresses no dogma of faith, or article of Catholic doctrine, which, at this time, binds, implicates, or affects the persons or consciences of Catholics, either as a body or as individuals.

IX. 4.

Alledged insufficiency of Catholic Disclaimers of the Pope's Temporal Dominion.

You tell us, (page 98), that "neither our disclaiming the principle,"—(of the Pope's universal temporal dominion),—"nor all the Romanists "unitedly disclaiming it, can be sufficient to justify

* Dr. Milner's fourth Letter to a Prebendary.

"a Protestant in believing the validity, though he "will not doubt the sincerity of our denial. The "power, which once claimed universal temporal "dominion still exists, and still asserts the truth "of the principles on which that claim was "founded."

In a further part of your work, (page 122), You say,—"These doctrines of the Roman Church "have been promulgated by councils, popes and "canonists. They must be rescinded by the same "authorities, or they may be again revived. The "Pope in council must deny them.——Neither "the united voice of the Romanists in England, nor "of Europe, nor of all the universities, are a suffi-"cient guarantee against it. The Pope, the "council, the church of Rome, as we recognize it "by its government, must publicly retract the "past; and then, and then only, the accusations "founded on history will be withdrawn."

I have stated your charge in your own words. You declare by it, explicitly, that "neither our "disclaiming the principle, nor all the Romanists "unitedly disclaiming it, can be sufficient to justify "a Protestant in believing the validity, though "he will not doubt the sincerity of our denial."

Our denial, You well know, has been given, and is continued to be given UPON OATH.

By the expression which I have just quoted, You declare, that "a Protestant is not justified in "believing the validity of this denial."

Thus far, I understand You; but, when, after

saying, that "a Protestant is not justified in be-
"lieving the validity of our denial," You add,
"*although he will not doubt its sincerity,*" (given as You are aware it is, upon oath),—I am not certain that I do understand Your meaning. In my opinion, the validity and sincerity of an oath, so far as respects the conscientious obligation, or the conscientious integrity of the person who takes it, are *convertible* terms.

Does this passage mean, that, sensible as You must be, that "telling a gentleman that You doubt his "oath," is offering him THE GREATEST POSSIBLE INSULT,—You thought that the insult would be gentler,—or that the intent to insult would become debateable, by inserting the words—"tho' he "will not doubt it."—thus, not expressly saying, but most unquestionably implying, that his oath may, with propriety, be doubted?

If this be the meaning of the expression, it imports neither more or less, than that, You think Protestants are unjustifiable, if they do not doubt the oaths, which we have taken in compliance with the acts of his late Majesty.

Connecting this passage with your requisition in page 122, that "the denial, to be valid, should "be made by the Pope and his government," I conjecture, that the result of all You say is, that a Catholic's oath of allegiance, and his disclaimer of all principles incompatible with it, cannot be relied upon,—because, while he takes the oath, or disclaims the principles incompatible with it, he re-

cognizes a paramount authority, which can discharge his conscience from the obligations of the oath and disclaimer.

If this be the fact,—if, while the Catholics take the oath, or make this disclaimer, they recognize a paramount authority, which may dispense with its obligations,—they are PERJURED VILLAINS!!! There is no medium.

And their villainy is aggravated, by the circumstance, that in the same oath, in which they swear allegiance to his Majesty and his successors, they swear to the disclaimer of the dispensing authority.

"And, I do solemnly," says the Roman Catholic in this oath,—"in the presence of God, "profess, testify and declare, that I do make the "declaration and every part thereof, in the plain "and ordinary sense of the words of this oath, "without any evasion, equivocation or mental "reservation whatever, and without any dispensa- "tion already granted by the Pope, or the authority "of the see of Rome, or any person whatsoever, "and without thinking that I am or can be ac- "quitted before God or man, or absolved of this "declaration or any part thereof, although the "Pope, or any other person or authority what- "soever, shall dispense with or annul the same, or "declare it was null or void. So help me God."

If your meaning be what I have represented, THE CHARGE WHICH IT BRINGS AGAINST THE CATHOLICS, IS MOST HORRIBLE:

AND IS MOST UNJUST.

"When I consider," said Mr. Fox, in moving the Catholic claims in 1805,* "the state of religion in Europe, of which perhaps three-fourths "of the people are Roman Catholics, I am astonished that such opinions respecting that religion "are entertained. Is it possible, that any man can "be found bold enough to say, of three-fourths of "the inhabitants of civilized Europe, that they are "not to be believed upon oath? Such an assertion "implies that Roman Catholic nations are not "only incapable of the relations of peace and "amity, but unfit for the relations of any society "whatever. Every enlightened mind, every man "who wishes well to his country, must treat it "both with scorn and indignation."

This is the language of a gentleman, a statesman, and a scholar. With all the rest of the world it will have weight:—but with You!—You yourself assure us, it has none. "Will you allow "me," You thus address me (p. 308), "to recommend to you in your next edition, to expunge "the frequent argument, which is rather insinuated than expressed, arising from the use of such "names as Pitt, Burke, Fox, Grattan, Canning, "the Earl of Liverpool, and many others. Believe me, they have no weight with him who "desires facts, and rests his argument on this "solid foundation."—I shall not take your advice:

* Proceedings and Debates upon the Petition. Printed for Cuthell and Martin, in 1805. 8vo.

no opportunity of using these names to serve the Catholic cause shall ever occur, in which I will not use them. Names so honourable to the Roman Catholics, and so serviceable for the justification of the Catholics against the horrid charges too often brought against them, nothing shall induce me to expunge. In my memory they shall ever live; and while my humble pages shall remain, my humble pages shall record their names, their kindness to us, and our gratitude to them.

IX. 5.

Alleged necessity, that to give validity to Catholic denial of the Pope's universal Temporal Dominion, the Pope and his government must deny it.

I confidently assert,—1st, that such a denial by the Pope and his council, is perfectly unnecessary:

2dly.—That, whether necessary or unnecessary, it has been given:

3dly.—And that it is the universal opinion of the Roman Catholic church, that Roman Catholics may conscientiouly believe that the Pope has NO RIGHT, DIVINE OR HUMAN, to universal temporal dominion, or to any temporal dominion, except in his own temporal territory.

1.—All your arguments to show the necessity of requiring from the Pope and his government a denial or disclaimer of his temporal dominion, rest on your reasoning upon the third canon of the Fourth Council of Lateran;—I have abundantly

shown, that this canon, if, as to its temporal provisions, it ever was in force, does not now exist. Such a denial is therefore perfectly unnecessary.

2.—It has, however, been given.

A few lines will place this beyond controversy.

I beg you to recollect the total disregard shown to Pope Innocent's protestation against the treaty of Westphalia; the Gallican declaration of 1682; and the oaths of the English, Irish, and Scottish Catholics, by which the universal temporal dominion of the Pope is absolutely denied.

I request you to observe, that I use the words "universal temporal dominion of the Pope," because they are *your* words. In my use of them, I wish them considered to extend also to *any temporal dominion whatsoever* beyond the limits of his own realm.

3.—Now, mark my TWO SYLLOGISMS.

I.—*It is* the universal opinion of the Roman Catholic church, that whenever the church of any country professes a religious doctrine,—and the Roman see, and the other Roman Catholic churches, being apprised and aware of her holding it, continue in communion with her,—the Roman see, and the Church of Rome, acknowledge that the doctrine so professed by that church, is consistent with the the faith of the Roman Catholic church.

But, the Gallican declaration of 1682,—the disregard of Pope Innocent's protestation against the peace of Westphalia, and the oaths of the English, Irish, and Scottish Roman Catholics, are explicit

and unqualified disclaimers of the Pope's temporal dominion;—and the Roman see and the other Roman Catholic churches, have been apprised of them from the first to the present time;—yet the Roman see, and the other Roman Catholic churches, have always been in communion with the churches, and the states, in which these explicit and unqualified disclaimers have been made:

Therefore,—the Roman see and the Roman Catholic church have acknowledged and do acknowledge, that this disclaimer of the Pope's temporal dominion is consistent with the faith of the Roman Catholic Church:

II.—*Now,* if the Pope, or the Roman Catholic Church, can, in the opinion of Roman Catholics, absolve or discharge them from the oaths of allegiance and disclaimer taken by them, *it can only be,* because those oaths contain something contrary to the faith of the Roman Catholic Church:

But, by communicating perseverantly with the churches in which these oaths of allegiance and disclaimer have been taken, the Roman see and the Roman Catholic church, acknowledge that these oaths of allegiance and disclaimer accord with the faith of the Roman Catholic church:

Therefore,—neither the Pope nor the Roman Catholic Church can absolve or discharge Roman Catholics from these oaths of allegiance and disclaimer.

It remains only to observe,—that this acknow-

ledgment of the Pope and the univeral church, is equipollent to a decree of a council; and is, in one sense, more than equipollent to it, as the church is the principal, or instituant; the council is its representative, or instituted organ.

Thus, my propositions are proved. You have all you have called for. The Pope and the universal church have acknowledged, as fully and as explicitly as can be done by words or deeds, that they have no authority, human or divine, to absolve the members of the Roman Catholic Church from their oaths of allegiance. Their allegiance therefore is valid, and may be depended upon.

"I have heard," said the Earl of Liverpool, in the debate upon the Catholic question in the year 1810, "allusions this night to doctrines, "which I do hope, no man now believes the "Catholics to entertain; nor is there any ground "that the question is opposed on any such pre- "tence. THE EXPLANATIONS, WHICH HAVE "BEEN GIVEN ON THIS HEAD, ARE COM- "PLETELY SATISFACTORY."

LETTER X.

VIEW OF THE ROMISH SYSTEM.

1.—I EVIDENTLY meant, that what I said upon this subject in "The Book of the Roman Catholic Church," should not be considered as a theological discussion of the truth of her doctrines: I merely wished to present a succinct account of some which are objected to by Protestants, for the purpose of showing that these contained nothing inconsistent with morality or good government; and that this had been acknowledged, in many instances, by Protestant writers of distinction. Upon this part of my work, You and others have attacked it. Thus the subject is before the public, and to their conclusions upon it I shall leave it.

With some observations, however, I shall now trouble you.

2.—The Roman Catholic religion satisfied the reason of such men at Bossuet, Fénélon, Bourdaloue, Massillon, d'Aguésseau and Pascal. If I deserve what You intimate in this letter, (p. 101, 102), for my belief of her doctrines, may I not comfort myself with the thought, that all you say applies as much to those great men as to me?

In page 107, I find this sentence addressed to me,—"I omit your sneer at the amount of a proc-

" tor's bill. It was not made with your usual cour-
" tesy; neither was it relative or necessary." My letter contains no sneer: and I am quite confident, that there is not in the profession even one person, who will *believe* that any thing I have written contains a sneer at any class of its members, or any individual member of it.—Was *your* remark relative or necessary?

3.—In page 138, You say—" You are incorrect
" in your assertion, that the Howards and Stour-
" tons are excluded from Parliament, merely be-
" cause of their belief in transubstantiation. They
" are so excluded, because the assertors of this
" doctrine are said to render imperfect allegiance
" to their sovereign."

The allegiance of the Howards and the Stourtons to their sovereign, is perfect. They consider it the grossest of affronts, to be told that it is not.—*Allegiance to the Pope is perfect nonsense.

* Addresses of the present writer to the Public, upon " the
" Coronation Oath," and the alleged " Divided Allegiance of
" the Roman Catholics," are inserted in the Appendix.

LETTER XI.

RISE OF THE REFORMATION.*—THE MENDICANT ORDERS.—PERSECUTION UNDER THE HOUSE OF LANCASTER.

1.—(1.) In pages 123, 124, and 130, of your work, You thus address me :—" Lamentable indeed, was " your error of judgment, 'when you ventured to " repeat the scandal of a former age, and to attri- " bute the rise of the Reformation to the general " diffusion of the opinion of Manes."

(2.)—" You ascribe also to the Albigenses, the " doctrines of that notorious heresiarch. The " reader, who is not well acquainted with history, " would conclude from your statement, that the " sentiments of the reformers, in the age of " Cranmer and Luther, and consequently the opi- " nions of the Protestants of the church of Eng- " land at present, are the identical errors which " are imputed to Manichæus."

(3.)—" No controversialist was ever more un- " fortunate in his argument than You have un- " wittingly been, in reviving the exploded notion, " that the faith of Protestants was the creed of " Manichæus."

* The Title given by Doctor Southey to the Chapter, to which this letter is an answer, and therefore prefixed to this letter.

(4.)—"As you only insinuate, that the poli-
"tical opinions of the Manichæans, were the
"real prelude to the doctrines of liberty and
"equality, so frightfully propagated in our own
"time, I shall not enter upon that discussion. The
"design of the insinuation is obvious, and it is
"unworthy, indeed it is unworthy of You."

Each of these sentences convey an heavy accusation against me, and each of these accusations is absolutely groundless.

I have said,—and it is certainly true,—that both *Catholics and Protestants* agree, that the opinions and conduct of these religionists "led to "Henry's reformation;"* and that "Lollardism† "prepared the public mind for the religious in-"novations which afterwards took place." But I have not said, what You attribute to me, in the passages which I have cited from your work.

(1.)—I have not, in any of my Letters to Doctor Southey, or in any of my works, attributed the rise of the Reformation to the "diffusion of the "general opinions of Manes." I believe,—and I have always believed the contrary.

(2.)—I have not, in any of my Letters to Doctor Southey, or in any other work, said or insinuated, that "the sentiments of the Reformers, in the age "of Cranmer and Luther, and consequently the "opinions of the Protestants of the Church of

* Hist. Mem. Vol I. Ch. x. p. 94.
† Ibid. p. 118.

"England at present, are the identical errors "which are imputed to Manichæus:" I believe, —and have always believed the contrary.

I have even said the contrary in "the Book of the "Roman Catholic Church."* I have there said, in conformity with Bossuet's assertion in his Controversy with Claude, that, "when the church of the "Reformers first separated from the one, the holy, "the Roman Catholic Church, their church could "not, by their own confession, enter into communion with a single church in the whole world."

I have also said the contrary in my "Revolutions of the Germanic Empire."† I there mention the "rough attack made on the Popes by the "Albigenses, Wickliffites, Waldenses, Lollards and "other heretics of the 14th and 15th centuries. "It must be admitted on the one hand," I then say, "that these maintained several doctrines irre"concilable with those of the Gospel and civil "society; *so that it is amazing that the reformed "churches should be so anxious to prove their "descent from them*; and on the other, that they "brought charges against some temporal usurpa"tions of the Popes and churchmen, to which "their advocates could make no reply."

(3.)—I have never said that the faith of Protestants was the creed of Manichæus.—I believe, —and I have always believed the contrary.

* Page 39, second edition.

† Part IV; Sec. II. 2.

(4.)—I have not insinuated, that the "political "opinions of the Manichæans were the real pre- "lude to the doctrines of liberty and equality, so "frightfully propagated in our times."—All I have stated is, that, "the writers whom I have men- "tioned, have said little on the political tenets of "the sectaries; that those, who should investigate "the subject, should consult *Monetæ adversus "Catharos et Valdenses, libri quinque;*" and that I wished Dr. Southey would undertake the investigation; but that he "would not complete it in the "manner his friends would wish, without ransack- "ing foreign libraries,—I observe that the *great "point for investigation* is, whether these sectaries "did not, by their disorganizing tenets, prelude "to the doctrines of liberty and equality." In what I have said, is there one word that insinuates an opinion of my own, that they did? I have read and thought much on the subject; but I have met with no satisfactory evidence for the affirmative, though I think I have met with both facts and authorities for it, which deserve consideration.

2.—Most sincerely do *I condemn the persecution of the Lollards, and every other persecution,* either by Catholics or non-Catholics, with which the annals of history are stained. No person has spoken with greater harshness than I have done of the Inquisition, or of the revocation of the edict of Nantes,—and I have studied the history of each with attention. If the recent outrages at Nismes have been fairly represented,—of which I entertain

some doubt,—I think they deserve all the abuse which they have received in this country.

I say the same of the persecution of the Waldenses. But I have not seen a Roman Catholic account of this persecution; and I never come to a conclusion upon any subject, before I have heard both sides. For the honour of my church, I hope that much exaggeration of the accounts given by Protestants of the persecutions of this worthy and unhappy people, can be proved. If it cannot, there is not in language an expression of condemnation, or, in the human heart a feeling of detestation, which they do not deserve.

In page 141,—You mention my account of "the "serene demeanor of some nuns, in the French "Revolution, who chaunted their hymns to the "Virgin, till the sounds ceased only with the exe-"cution of the last of their number.—You after-"wards say,—let me not seem harsh, if I inquire, "whether active virtue, as well as passive resig-"nation, would not have been as ornamental to "the sufferers, and more useful to society? Would "not the cause of virtue, religion, morality and "order, have been more promoted by the good ex-"ample which these excellent women might have "set, as mothers, daughters and sisters, in social "life, than by their learning the Litanies of the "Virgin in the cloister, and singing them in their "way to the scaffold?"

In the first place,—allow me to say, that, *speaking generally*, the ladies, with whom convents were

filled, were in those scanty circumstances, which make poor and uncomfortable sisters, and poor and uncomfortable aunts, and either prevent marriage or occasion poor and uncomfortable marriages, and thus fill the world with beings that are wretched in themselves, and a burthen to the state. To ladies of this description, a convent was an invaluable retreat; and, from my own knowledge, I most confidently affirm, an abode of happiness. In the next place, allow me to ask, whether it was not greatly to the advantage of the state, that it should possess such permanent institutions as convents of females, for the instruction of the female portion of the community of every rank and every condition? Can it be justly said, that such an employment was not active virtue of the most useful kind? Is it fairly described, by saying, that "the inmates learned the litanies of the Virgin, "and sung them in their way to the scaffold." What confirmed habits of faith, of hope, of charity, must they have acquired in the convents, to have so died?

3.—No person admired or felt more than I did, *the reception of the French exiles in this country.* An humble tribute of admiration which I paid to it, I transcribe in a note.*

* "At the respectable and afflicting spectacle which so "many sufferers for conscientious adherence to religious prin- "ciple, presented, the English heart swelled with every ho- "nourable feeling. A general appeal to the public was resolved "upon. The late Mr. John Wilmot, then member of Parlia-

You return to *our Legends*.—I have told you, and I tell you again, that they make no part of the

" ment for the city of Coventry, took the lead in the work of " beneficence. The plan of it was concerted by him, Mr. Ed- " mund Burke, and Sir Phillips Metcalfe. An address to the " public was accordingly framed by Mr. Burke, and inserted " in all the newspapers. It produced a subscription of " £.33,775. 15*s.* 9½*d.* This ample sum for a time supplied " the wants of the sufferers. At length, however, it was ex- " hausted; and in the following year, another subscription was " set on foot. The venerable name of King George the Third " appeared first on this list. This subscription amounted to the " sum of £.41,304. 12*s.* 6½*d.* But this too was exhausted.

" The measure of private charity being thus exceeded, Par- " liament interposed, and from December 1793, voted annually " a sum for the relief of the ecclesiastics and lay emigrants. " This appears by an account which the writer received from " Mr. Wilmot, to have reached on the 7th day of June 1806, " the sum of £.1,864,825. 9*s.* 8*d.* The management of these " sums was left to a committee, of which Mr. Wilmot was the " president; and the committee confided the distribution of the " succours of the clergy to the Bishop of St. Pol de Leon. A " general scale for the distribution of the succours was fixed: " the bishops and the magistracy received an allowance some- " what larger than others: but the largest allowance was " small, and none was made to those who had other means of " subsistence. The munificence of Parliament did not however, " suspend the continuance of private charity. Individual " kindness and aid accompanied the emigrants to the last. " Here the writer begs leave to mention an instance of the " splendid munificence of the late Earl Rosslyn, then Chan- " cellor of England. It was mentioned at his lordship's table, " that the Chancellor of France was distressed, by not being " able to procure the discount of a bill which he had brought " from France, ' The Chancellor of England,' said Lord " Rosslyn, ' is the only person to whom the Chancellor

Roman Catholic creed., I leave them wholly to their fate. Every person has my permission to

" of France should apply to discount his bills.' The money " was immediately sent, and while the seals remained in " his hands, he annually sent a sum of equal amount to the " Chancellor of France. At Winchester, at Guilford, and in " other places, public buildings were appropriated for the " accommodation of the clergy. In the hurry in which they " had been forced to fly, many of them had been obliged to " leave behind them their books of prayer. To supply in part " this want, the University of Oxford printed for them 2,000 " copies of the Vulgate version of the New Testament from the " edition of Barbou; and the late Marquis of Buckingham " printed an equal number of the same sacred work, at his own " expence. Every rank and description of persons, exerted " itself for their relief. There is reason to suppose, that the " money contributed for this honourable purpose, by individuals " whose donations never came before the public eye, was equal " to the largest of the two subscriptions which have been men- " tioned. To the very last, Mr. John Wilmot continued his " kind and minute attention to the noble work of humanity. " It adds incalculably to it's merit, that it was not a sudden " burst of beneficence: it was a cool, deliberate, and system- " atic exertion, which charity dictated, organized and continued " for a long succession of years, and which in its last year, " was as *kind*, as active, and as energetic, as in its first. " Among the individuals who made themselves most useful, one " unquestionably holds the first place. ' At the name,' says " the Abbé Barruel, ' of Mrs. Dorothy Silburn, every French " ' priest raises his hands to heaven to implore its blessings on " ' her.' The bishop of St. Pol took his abode in her house; " and it soon became the central point, to which every French- " man in distress found his way. It may easily be conceived, " that great as were the sums appropriated for the relief of the " French clergy, the number of those who partook of them were " so large, as to make the allowance of each a scanty provision

speak of them as he pleases. I only request, that, where he finds that any of these legends possess that

" even for bare subsistence; so that all were obliged to submit
" to great privations, and, from one circumstance or other,
" some were occasionally in actual want. Here Mrs. Silburn
" interfered. Where more food, more raiment, more medi-
" cine, than the succours afforded, was wanted, it was generally
" procured by her or her exertions. Work and labour she
" found for those who sought them. The soothing word, the
" kind action, never failed her; all the unpleasantness which
" distress unavoidably creates, she bore with patience. Her
" incessant exertions she never abated. The scenes thus de-
" scribed by the writer he himself witnessed: and all who
" beheld them, felt and remarked, that much of the success,
" and the excellent management which attended the good
" work, was owing to her. To use the expression of a French
" prelate, 'the glory of the nation, on this occasion, was in-
" 'creased by the part which Mrs. Silburn acted in it.' On
" the final closing of the account, his Majesty was graciously
" pleased to show his sentiments of her conduct by granting to
" her an annual pension of 100 *l.* for her life:—never was a
" pension better merited.

" On the other hand, the conduct of the objects of this
" bounty was most edifying. Thrown, on a sudden, into a
" foreign country, differing from theirs in language, manners,
" habits and religion, the uniform tenor of their decorous
" and pious lives obtained for them universal regard. Their
" attachment to their religious creed, they neither concealed
" nor obtruded. It was evidently their first object to find op-
" portunities of celebrating the sacred mysteries, and of
" reciting the offices of their liturgy. Most happy was he,
" who obtained the cure of a congregation, or who, like the
" Abbé Caron, could establish some institution useful to his
" countrymen. Who does not respect feelings at once so res-
" pectable and so religious? Hence flowed their cheerfulness
" and serenity of mind above suffering and want. 'I saw
" 'them,' a gentlemen said to the writer of these pages,

amount of historical fact, which, by the acknowledged rules of evidence, entitles them to credit, he should permit me to believe them:—that, as a gentleman can always tell a truth, however offensive, in gentlemanly language, he should speak of those he disbelieves, in terms that are not ungentlemanly,—and that, while he laughs at the legend, he should admit the virtues, if they are well authenticated, of the saint whom the legend was sillily intended to ornament. These are such as Christians of every denomination must admire. Who is the canonized or beatified king,—that was not the father of his people: the canonized or beatified bishop,—that was not the incessant preacher of the word of God, and the father of the poor, denying himself all but necessaries, to supply their wants? Who, the canonized or beatified prebendary—whose regular and devout attendance, in every day of the year, at the seven canonical hours of the Roman Catholic church, was not a continual tribute of praise and adoration to the Deity, and an edifying excitement to devotion? Who, the canonized or beatified curate, that did not consume himself in the service of his parishioners? What canonized or beatified

" ; hurrying in the bitterest weather, over the ice of Holland,
" ' when the French invaded that territory. They had scarcely
" ' the means of subsistence; the wind blew, the snow fell, the
" ' army was fast approaching, and they knew not where to
" ' hide their heads, yet these men were cheerful.' They did
" honour to religion; and the nation that so justly appreciated
" their merit did honour to itself."

husband or wife was not eminent for conjugal virtue; for every parental and every domestic merit? Surely, when so much pains are taken to disgrace the Roman Catholic religion, by bringing forward the miserable legends by which some of her silly children have often deformed their accounts of her saints, justice requires that the heroic virtues of those saints should be equally produced. If this be not done, one side only of the question is brought forward, and great injustice done to the Roman Catholic Church;—she glories,—and she justly glories in her saints;

When Milton assigns to *the Paradise of Fools*,

> *"Eremites and friars,—*
> *"Black, white and grey, and all their trumpery,"*

You tell us that "he has given all, their proper "place."

He has not "given all, their proper place."—I am surprised that *You* should cite Milton as an authority on such a point. What place would *he* have given *You* and *Your* brother prebendaries? Read the ribaldry with which he has treated Your prelates?

The friars, whom it pleases You to mention thus contumeliously, were incessantly employed in the service of the poor: in preaching to them, in teaching them their catechism, in attending them on their sick beds, and preparing them for their passage to eternity, in aid of the the curates. Was there an epidemic illness, a fire, or an inundation? friars were sure to be there.

In hospitals, in prisons; amid the wounded and the dying in the field of battle, friars were always found. Those, who had no other friend, always found one in a friar. Many friars reached the highest eminence in the arts and sciences. Surely you have heard of *Father Roger Bacon.* The best interpreter of *Descartes,* was father *Mersenne,* a minim friar: the best edition of the *Principia* of Newton, is that of *Jacquier* and *Le Seur,* both minims; *St. Thomas of Aquin, Bartholomew de las Casas,* were Dominican friars, *Cardinal Ximénes* was a Franciscan. An hundred other friars illustrious for talent, virtue and learning, might be quickly mentioned. Is it decent to call, or to wound the feelings of Catholics by calling, such men, *trumpery?*

LETTERS XII. & XIII.

THE REFORMATION.—HENRY VIII.—EDWARD VI.

IN your twelfth letter, you assert, (page 146, 147), that, "the only real points in debate at the time "of the Reformation, were these;—Are the doc-"trines of the church of Rome supported by "Scripture and antiquity?—Shall the Pope or "Monarch be supreme over the people?" The first of these points included the question of the Pope's spiritual supremacy. It was wrested from him, in many parts of Europe, by the Protestant reformers; but these, instead of establishing evangelical liberty, strove, equally by the sword and the pen, to substitute themselves and their creeds, in the chair of authority. Their attempts filled Europe both with war and debate.*

Proceeding in the order of investigation which I have suggested in the letter to which You now refer, You inquire, whether England has been benefitted by the Reformation, I. In Temporal happiness;—II. Spiritual wisdom;—III. Or morals;—IV. And, whether the revival of letters was materially promoted by the Reformation. On each of these topics You conclude for the affirmative.

* See the article in the Edinburgh Review, No. LIII. Art. 8, on the "Toleration of the first Reformers."

" Christianity," you say, " not Romanism, ex-
" tricated us from Paganism." You have not shown that the Creed of St. Augustine *was not*.—I have referred to a work, which abundantly shows, by the confessions of Protestant writers of the first eminence, that it *was*, the creed of the Council of Trent.

You ask, (page 148), " if your parochial clergy
" will not bear comparison with the monks?"—The proper persons to whom your parochial clergy should be compared, are the parochial clergy *of France*. I beg leave to transcribe what I have said of these in another publication.*

" A French country curate was truly the father
" of his flock. There was not in his parish a sub-
" ject of joy or distress, in which he did not
" feelingly participate.

" Le pauvre l'allait voir, et revenait heureux.
VOLT. *Henriade.*

" Generally speaking, his income was small.
" If it fell short of what the French law termed
" the *portion congrue*, about eighteen pounds a
" year of our money, but taking into calculation
" the relative value of specie, and the relative
" price of provisions, about sixty pounds a year
" of English money, in its present worth, the state
" made good the deficiency. It is evident, that
" with such an income, the curé could spare
" little. Whatever it was, he gave it cheerfully,
" thriftily, and wisely; and the soothing word,

* History of the Church of France, Ch. II. Sect. 3.

" the compassionate look, the active exertion to
" serve, were never wanting. In the house of
" mourning the curate was always seen; the
" greatest comfort of the aged was to perceive
" him enter their doors. The young never en-
" joyed their mirth or pastime so much, as when
" they saw him stand near them and smile. But
" the curé never forgot that he was a minister of
" God. The discharge of his functions, particu-
" larly of his sacred ministry at the altar, was at
" once the pride and the happiness of his life.
" There was scarcely a curate who did not
" thoroughly instruct the children of his parish
" in their catechism, and his whole flock in their
" duties; who did not every Sunday and holiday
" officiate at the morning and evening service;
" who did not regularly attend his poor parishioners
" through their illnesses, and prepare them, in
" their last moments, for their passage to eternity.
" The last act of his life, was to commend his
" flock to God, and to beg his blessing on them.
" In every part of France, the peasant spoke
" of him as his best friend; '*Notre bon curé*,'
" was his universal appellation. This is not an
" exaggerated picture of these venerable men.
" Their merit was at once so transcendent, and
" so universally recognized, as to defy calumny.
" On every other rank of men, the philosophers
" and witlings of France exhausted abuse and
" ridicule; but they left untouched the worthy and
" edifying curé. Voltaire himself, in more pas-

" sages than one of his works, pays due homage " to their useful and unpretending virtue."

When You have read this passage, I wish You to say, if the comparison between your and our parochial clergy is unfavourable to the latter?

Against your description of the Pope, (page 148), I absolutely protest.

When you commented (p. 148) on my mention of " the interruption of the night by the psal- " mody of the monks," You surely forget that it was an imitation of our Saviour; an imitation also of the son of Jesse, who so often and so feelingly mentions, in his Psalms, " his rising in " midnight, to confess to the Lord."

XII. & XIII. 1.

Has the Reformation produced an Increase of Temporal Happiness in the Nation.

1.—You next inquire, whether *there has been an increase of temporal happiness in the nation, since the era of the reformers?* I admit all that can be said of its great advances in agriculture and commerce, and the useful or ornamental arts: but, when I consider its eviscerating national debt, its pauperism, and the numbers examinated by premature, excessive, consuming and exhausting labour, I greatly doubt its increase in happiness.

XII. & XIII. 2.

Has it produced an Increase of Spiritual Happiness.

2. *As to the national increase in spiritual wisdom,*—place to our account the superstition, which

You can justly impute to us, and to yours, the actual socinianism, deism, infidelity, and general indifference to religion;—then gravely say, whether You really claim any increase in true religion?

A late Bishop of London* informed us, that "in "several parts of his diocese, there were many hun- "dreds of wretched, ignorant young creatures, of "both sexes, totally destitute of all education, to- "tally unacquainted with the very first elements "of religion, and who perhaps never entered a "church." Mr. Colquhoun† says, "that in the "population of England alone, 1,170,000 chil- "dren, it is much to be feared, grow up to an "adult state, without any education at all, "and also without any useful impressions of "religion or morality. To these are to be added, "many of those, who have had the advantage of "some education, but in ill-regulated schools, in "which proper attention is not given to religious "and moral instruction. So that, in the present "state of things, it is not too much to say, that "every thirty years, (the period assigned for a "new generation), at least four millions and a "half of adults must, in case a remedy is not "applied, mingle in the general population of the "kingdom, without any fixed principles of recti- "tude, and with very little knowledge either of "religion or morality."

* Bishop of London's Charge, 1790, p. 14.

† Colquhoun's New and Appropriate System of Education, p. 72, 73.—And see the Rev. Hugh James Rose's "State of the Protestant religion in Germany."

"Even in this country," says the most excellent Bishop of Durham, * "there is an almost universal "lukewarmness and indifference *respecting the "essentials of their religion.*" "The characteristics of the present times," says another most distinguished prelate of your church, † "are confessedly incredulity, and an unprecedented indifference to the religion of Christ."

3. *As to the increase of morality*, you have not disproved, and I see no reason to alter what is said upon this subject in "The Book of the Roman Catholic Church." If you compare the present English morals with the English morals of any æra antecedent to the Reformation, I am convinced you will not find the balance in favour of the present day.

You ask, (page 152), "If France, Spain, Portugal, or other Romish countries, are more or "less moral than Protestant England?" I have no personal knowledge of any of these countries, except France; but I must observe, that the honour of the Spaniards, and the decency of the Brabanders and Belgians, were proverbial.

Of France, I know much: You will probably be surprised when I say, that before the Revolution, the morality of France was not inferior in any respect to the morality of England. People are too apt to judge of the morality of a country, by the manners and habits of those who generally

* Bishop Barrington's Charge, 1797, p. 2.

† Bishop Prettyman's Charge, 1800, p. 10.

attract the notice of strangers: these are too often the least respectable portion of the community. Vice courts notice, and tilts at all she meets: virtue seeks retirement, and must be pursued into her retreats to be discovered. To these, English travellers seldom followed her; if they had, they would have found, in every rank of life, a due proportion both of common and exemplary virtue. I request you to peruse the "*Essai Historique sur* "*l' Influence de la Religion en France, pendant le* "*dix-neuvieme Siecle,* 2 vols. 8vo."

You will find by it, that France abounded throughout that period, in persons both secular and ecclesiastic, and of each sex, whose virtue was pure, and whose habits were regular and edifying.

At one time this country was the charitable asylum of 8,000 ecclesiastics. How pious, how humble, how unoffending, and, in every account how truly respectable was their demeanour. Our country was also at the same time the receptacle of about 2,000 lay emigrants. How patiently did the great majority of these submit to their severe trial! How cheerfully did the father and the son engage in any occupation, and the mother and the daughter become servants of all work, to increase the family means of subsistence, and render it as comfortable as possible. Surely, persons who have borne adversity so well, must have been "deeply principled in Virtue's book."

Nothing could be more beneficent or more

honourable than the conduct both of the British government, and of thousands of British individuals, to these unhappy emigrants. I have transcribed in a note to my preceding letter, what I have written upon it in three of my works: this passage has often been translated into French, and never without an expression of gratitude by the translator to the British nation. In fact, it was a deed,

"Above the Greek, above the Roman name,"

YOUNG.

How pleasing is it to dwell on these themes!

XII. & XIII.

Is the Reviva of Letters owing to the Reformation.

4. What you say *upon the diffusion of learning* before the Reformation, rather confirms than weakens what I have writtten upon that subject. As an Englishman, I am proud of the names of Bacon, Locke, Newton, Shakespeare, and Milton, which You hold forth to view; but, when in your production of these names, You exult over us, I must observe, that the Church of England cannot claim the Arian Newton, the Socinian Locke, or the Anti-prelatic Milton. Shakespeare was probably a Roman Catholic; his father certainly was.

"You desire me (page 154) to compare the "state of knowledge in the countries which are "subjected to the influence of Romanism and Pro-

" testantism." In a trifling publication * I have inserted a comparison ;—I confess it to be on a very small scale,—of " the writers in the British " æra of literature," with those of " the æra of " Lewis XIV." It does not appear to me quite clear, that on a general comparison of the arts, the sciences, and the literature of both territories, the balance would prove so greatly in favour of England, as the English seem to take for granted. All foreigners observe that England possesses her due share of soli-ipsiism.

The state of literature in Spain is truly respectable.† Is there more literature in Sweden, Norway and Denmark? Doctor Clarke, in his travels through Sweden, observes that " the religious con- " troversy in which that state was involved, arrested " the progress of letters for almost a century."

Permit me to assure You, that Greek literature is " not," as you assert, " almost extinct in Italy;" and when you write, that " sacred literature has " been little cultivated by the Romanists,"—I read and admire. *Rivington's Catalogue*, alone, particularly that part of it which relates to sacred literature, completely confutes this assertion.

Referring you to what I have stated succinctly in my twelfth letter to Doctor Southey, and more at length in my " Essay on the Discipline of the " Church of Rome, respecting the General Perusal

* Reminiscences; XXXI. 3.

† See Capmany Teatro Historico Critico de la Eloquencia Española ;—Bouterwek's History of Spanish Literature.

"in the vulgar Tongue by the Laity," I beg leave to say, that your account of these restraints is unmercifully exaggerated. Having lived long in France, and being well acquainted with the literary and devotional habits of that people, I aver, without the slightest fear of refutation, that the Bible was as much read and understood in France as in England.

I will admit, that it was not read at so early an age in France, as it is by English Protestants. But, *absit invidia verbo*, I will presume to say, that, taking a Protestant boy of the age of ten years, who has read the Bible in the manner in which it is usually read before that age in England, and a Catholic boy of the same age, who has been taught the French catechism, and particularly "*Fleury's Historical Catechism*," in the manner in which they were usually taught in France, —the latter will be found to have quite as full and as clear a knowledge of the history, the morality, and the religion of the Old and New Testament, as the former.

"With us, also," you say, (page 154), "are the "editors of the Hebrew text." Have you not heard of the Polyglots of Alcala, of Antwerp, of Paris? Of the Venitian and Plantinian editions of the Hebrew text? Of those of Xantes Pagninus, and Arias Montanus? Of that of Lewis Biel, a Jesuit? or that of Houbigeant, an oratorian? This cost 35,000 livres, and a volume of it, while I read your astonishing assertion, lay on my table.

LETTER XIV.

QUEEN MARY.

In this letter You profess to state the grounds upon which I have endeavoured in "The Book of "the Roman Catholic Church," to extenuate the persecutions in the reign of Queen Mary.

1.—You say (page 161), that "*my apology* "*for the persecutions in the reign of Queen Mary,* "*is derived from considering the former conduct* "*of Cranmer, in passing an unjustifiable law, by* "*which he condemned to death the advocates of the* "*Romish opinions.*"

This I mention as *one* extenuating circumstance; but I state others:—1st, The rebellions and treasons against Mary. You admit, (p. 174), that "at the "time of Mary's decease, a rebellion was almost "raging against her."—2d, The many indignities, some of a very atrocious nature, which were offered to her.—3rd, That there was not, in Mary's time, a Protestant state, in which similar executions for religion had not taken place.—4th, That there scarcely was a primitive reformer, by whom religious persecution was not justified or practised.—5th, And that several persons were executed in the reign of Queen Mary for heresy, who might justly have been executed for treason.

You should also have mentioned my explicit avowal in "The Book of the Roman Catholic "Church," "that the sanguinary executions in "the reign of Queen Mary cannot be justified."

2.—You say, (p. 162), "*I impeach the Church "of Rome of the crime of still sanctioning perse-"cution, and thereby maintaining a doctrine which "is alike hostile to your own petition for admission "to power, and to the common rights and happiness "of nations.*"

This assertion I have completely overthrown in my Ninth Letter to You, and therefore, applying with little alteration to my church, the words, which You apply to Yours, I say, at least upon as good grounds as yourself, that persecution for religion never was a principle of the Roman Catholic church: it was a local error of individuals, which has been removed by gradual improvement. In the church of Rome it never was a law, and has long ceased to be a custom: they are not Catholics who persecute in Switzerland.

3.—You inform us in a note, (page 172), that "Mr. Todd has ably defended Cranmer; and that "the character of Latimer, You have no doubt, "can be equally vindicated also."

Permit me to think, with Dr. Lingard, that "Doctor Todd's work has disappointed the wishes "of his friends;" that "his statements have con-"firmed the most material of the statements con-"tained in the fourth volume of the Doctor's

" history," and that " a candid comparison will " show, that even his objections on points of minor " importance are built on slender foundations, and " frequently serve to overturn each other."

4.—You say, " if the good character which " the historian upon whose researches you have " relied he correctly represented, how severely do " you condemn the religion, which could change " a compassionate, liberal, pious, moral, exemplary " woman, into a savage, rancorous and bigotted " persecutor.—Your efforts are vain—the blood " of the martyrs is upon her.

" And history with her whip of steel
" Has stampt the character of shame so deep,
" That not eternity shall wear it out."

Randolph's Muses Looking Glass.

With all that history can justly charge on Mary, she does not merit the atrocious epithets which You bestow upon her, or your application to her of Randolph's atrocious verse. Would not this verse be more justly applied to Elizabeth's conduct towards Mary of Scotland? and to Elizabeth's dissimulations, both before and after the execution of that unfortunate princess?

In pronouncing upon Mary of England, it should not be forgotton, that she was highly provoked, greatly mistaken, and abominably advised: Thus, while her conduct deserves strong reprehension, she is entitled to much pity; and while the reprehensible part of her character is held out in

the strongest light, neither her merits, nor the circumstances which extenuate her misdeeds, should be concealed.

But how is the church chargeable with the supposed change in the character of this princess? The first volume of Dodd's Church History contains the faculties and instructions which the Pope gave for reconciling the kingdom to the Holy See. They are written in the language of moderation, and do not contain a single expression which suggests sanguinary measures. The lenity of Cardinal Pole, her majesty's principal adviser, seems to be universally admitted.

LETTER XV.

QUEEN ELIZABETH.

Alleged Omission of any mention of the State of Europe and England, at the Accession of Queen Elizabeth.

IN this letter, I shall successively examine,—

I.—Your remarks upon my alleged omission of any notice of the state of Europe and England, at the accession of Queen Elizabeth:

II.—Your eulogy of the pacific tendency of her first measures respecting religion:

III.—And of the moderation of the penal laws passed in the first year of her reign:

IV.—Your justification of the law passed in the fifth:

V.—And of those passed in the 13th, 23d, and 27th:

VI.—I shall then consider the justice of your denial of the merit of loyalty to the conduct of the Catholics, while the English coast was threatened by the Armada:

VII.—And conclude my letter with some general reflections.

In every part of your present letter You insert reflections injurious to the Catholics;—to the principal of them, I shall occasionally advert.

XV. 1.

Your Remark upon my alledged Omission of any notice of the State of Europe and England, at the Accession of Queen Elizabeth.

In the beginning of this letter, addressing yourself to me, You say, " *In your examination of the* " *circumstances which accompanied and followed* " *the Reformation, you would almost seem to have* " *demonstrated to your countrymen, that you re-* " *served your talents for your own profession,* " *and your sincerity for the courtesy of private* " *life.*

" You attempt a long and laborious vindication " of the Romanists in the reign of Elizabeth, from " the charges of plots and conspiracies against the " queen, and her government. You would then " endeavour to prove, that the priests who suffered " were executed for religion, not for treason. In " prosecuting your inquiry upon these points you " omit all considerations of the state of parties, and " of the difficulties in which the legislature of the " day must have been involved, whatever might " have been its consequent decisions. You do not " tell your readers that civil wars were raging on " the Continent, and almost in England, on the " subject of religion; that on the Continent, the " opposite opinions of the Protestants and the Ro- " manists were embodied in the shape of armies; " and that in England, their open collision could " only be prevented by the most consummate pru- " dence, and by occasional severities."

As a complete answer to the *personally abusive* charge which You bring against me, at the beginning of the extract which I have just transcribed from your work, it would be sufficient to say, that, as both Dr. Southey's work and mine are addressed to the well informed, and as every thing stated by You is fully known to these, there was no obligation upon me to state the facts which You specify, and therefore no ground to criminate me for omitting them: it would have been both a needless and incongruous expansion of my work.

I might also observe, that this most evidently was not offered as a history of the times, but as a defence of the Catholics against *certain* charges of Dr. Southey.

But I am not reduced to the necessity of resorting to either of these defences. To repel your charges, I shall transcribe an extract from my "Historical Memoirs," and leave it to your own decision, whether the account which You have given, either of the state of Europe, or the state of England, during the reign of Queen Elizabeth, is more full, or more favourable to that princess, than mine. *

"Ancient and modern history differ in nothing "so much, as the absence of religious wars and "controversies from the former, and the large "space which they occupy in the latter. During "the successive periods of the Assyrian, Persian, "Macedonian and Roman empires, the grand

* Chapter XXVIII. with some addition, it is inserted in "The Reminiscences, Sect. XII. 6. Art. 'Holy Alliance.'"

" political division of the world was, into the states
" within the sway of those powerful empires, and
" the states beyond it. At the end of the fifth
" century of the Christian æra, by far the greater
" part of Europe was Roman; but after the
" death of Trajan, the Romans ceased to be con-
" querors, and soon afterwards, the barbarians
" of the north and the north-east, began to invade
" their territories on every side, and to erect on
" their ruins multitudes of principalities, inde-
" pendent on each other, but united by the pro-
" fession of a common religion, by a common re-
" gard for its interests, and by common sub-
" mission, in religious concerns, to the Pope, as
" their common head. By degrees, Austria,
" France, Spain and England, became the Euro-
" pean powers of the first order. The union of
" the Imperial and Spanish crowns on the head of
" Charles V. produced confederacies against him.
" The French monarch was always at their head;
" and Europe thus became divided in two new
" parties, the Austrian and the French. The
" Reformation arrived, and then, according to
" Schiller,* the interests of the European states,
" which, till that time, had been national, ceased
" to be such, and the interests of religion formed
" a bond of union among subjects of different
" governments, who, till this time, had been un-
" known to each other. A sentiment more power-

* " Histoire de la Guerre de Trente Ans."—Cited by M. " Ronald, in his interesting Essai, ' De l'Unité Religieuses en " Europe.'"

" ful in the heart of man, than even the love of " his country, rendered him capable of perceptions " and feelings which reached beyond its limits: " the French Calvinist found himself more in " contact with England, Germany, Holland " or Geneva, than with a Catholic of his own " country.

" This effected a new political division in " Europe; France siding with the separatists from " the Church of Rome, and introducing to the " aid of their common cause the Ottoman power, " became the real head of one power; Austria " was the head of the other. But when, upon " the abdication of Charles the Fifth, his German " were divided from his Spanish territories, and " the civil wars of France weakened his connections " with the Protestant powers and the Porte, " Philip the Second of Spain, and Elizabeth " of England, became the conspicuous characters. " Philip, with the aid of Bavaria, was the centre " of the Catholic system: Elizabeth, with the " United Provinces at her disposition, was at the " head of the Protestant. During this period, " Germany, under the peaceable influence of Ru- " dolph, took no part in the contest; but all the " temporal, and (which was of much greater con- " sequence) all the spiritual power of Rome, co- " operated with the Spaniard, and placed the Pope " in the van of the Catholic array. Then, if " Schiller's remarks be just, the Protestants in " every country subject to the Spanish sway, " would be partisans of Elizabeth, and every

" Catholic in the territories subject to her do-
" minion or controul, would be favourable to the
" designs of Philip and the Pope. Pursuing his
" reasoning, it would follow that this would be
" particularly the case of the clergy of each di-
" vision, on account of their nearer interests in the
" concerns of religion; and still more the case of
" the Catholic clergy, on account of their intimate
" connection with the Roman See, and graduated
" dependence upon her."

You tell me, (p. 185), that, " You use my own
" words when you add, that Elizabeth's religious
" reformation seems to have been conceived on a
" conciliatory and comprehensive scheme." You refer to my Historical Memoirs, Vol. I. p. 145 and page 234, of the 2d edition. No such expression is to be found in the pages to which you refer: neither is any such expression applied as you apply it, to the *general* character of Elizabeth's religious reformation, to be found in any of my writings.

XV. 2.

Your Eulogy of the Pacific Tendency of Elizabeth's first measures respecting Religion.

PERMIT me to ask, if, while You brought forward, in this and other parts of your work, the persecution of Protestants by Catholics in foreign countries, You should not have equally brought into view the persecutions of Catholics by Protestants? Justice required it of You. I beg leave to refer

You to what I have said upon this subject, in the fifth section of my fifteenth letter to Doctor Southey, and to Doctor Milner's fourth letter to Doctor Sturges. If You compare the different persecutions, either in the provocations of them, or in their length, or their atrocity, You will not find the Catholics more guilty than the Protestants.

Let us now inquire, whether the persecuting laws of Queen Elizabeth, speaking of them generally, can be justified upon any general *principles* of morality and civil justice.

1.—At the time of the accession of Queen Elizabeth, the Roman Catholic was the national religion. Two-thirds of the nation professed it; all the bishops, both houses of convocation, and both the universities, protested against the introduction of the Protestant creed. The remaining third part of the nation, but divided into the episcopalian and puritan denominations, favoured Protestantism. Elizabeth herself was, or at least professed herself to be, an episcopalian Protestant.

In this situation of things, *did any general principles of morality and justice confer a right upon Elizabeth and her government, to make episcopalian Protestantism the religion of the state?*

Here, the relative merits of the two religions are beside the question: the only point to be considered is, whether morality and justice allowed Queen Elizabeth to make episcopalian Protestantism the state religion, against the will of an immense majority of her subjects?

You must, I suppose, maintain the affirmative; —I maintain the negative.

2.—Admitting, however, for the sake of argument, that the overturning of the national religion of the country, and the substitution of a new religion, contrary to the wish of a great majority of the population, was moral and just, *did morality and justice make it the right of Elizabeth and her government, to enact, that the adherence of two-thirds of her subjects to the ancient religion of their country, was a crime against the state; and that every exercise by them of their hereditary religion, and even mere non-conformity to the new ritual, was, upon that account, highly criminal, and should therefore be punished by heavy legislative inflictions?*

If it was not moral and just, Elizabeth's legislation against her Roman Catholic subjects, was wicked and barbarous in the extreme.

Converting the case,—that is,—supposing the government to be Roman Catholic, and the majority of the nation to be Protestant, would similar laws be justifiable?

If You answer in the negative, You are bound to produce some acknowledged general principle that justifies your answer:—I aver that no such general principle can be produced.

I agree, with Father Persons, * that "Neither

* Judgment of a Catholic living in banishment for his religion, &c. 8vo. 1608.

" breathing, nor the use of common ayre, is more " due unto Roman Catholics, or common to *all*, " than ought to be libertie of conscience to " christian men, whereby each man liveth to " God and himself; and without which, he " struggleth with the torment of all-continual lin- " gering death."

THIS IS MY CREED; and it is a great satisfaction to me to reflect, that, having advocated Catholic Emancipation during half a century, I never advocated it on any ground that was not applicable to every denomination of dissidents from a state religion.

3.—But, let us advance further, and admit that Queen Elizabeth being, as I unequivocally admit and believe her to have been, sovereign of the country, both in fact and in right, *did morality and justice allow her and her government, to consider it a notorious fact, that all her subjects, who professed the Roman Catholic religion, and therefore acknowledged the spiritual supremacy of the Pope, were from this circumstance alone, deficient in true allegiance to her*; and that, on this account, both morality and justice sanctioned legislative provisions which, on the mere proof of their acknowledging the Pope's spiritual supremacy, or even refusing to swear to the Queen's spiritual supremacy, and without requiring the slightest evidence of their having committed any one act which the ancient law of the realm made criminal, subjected them to the horrible penalties of treason.

You maintain the affirmative ;—I maintain the negative.

I hope I have not mistaken Your opinions. What I have said leads to the inquiry, whether the acknowledgment of the Pope's spiritual supremacy is inconsistent with true allegiance? This must depend upon the nature of the spiritual supremacy which Catholics ascribe to him. It consists in the right of the church, and of the Pope as its head, to preach and teach those doctrines, which Catholics hold to have been preached and taught by Christ; and to punish the refractory members of the church, by spiritual censures, and ultimately by excommunication. Is this inconsistent with a subject's duty of allegiance? It does not deny the temporal sovereignty of the monarch, or his right to enforce it by any mode of temporal power.

These, both you and I equally recognise in the sovereign.

Has the monarch any power, merely spiritual?

Neither You nor I believe that he has.

Then, in what did the allegiance of a Catholic, and the allegiance of a Protestant really differ, in the reign of Queen *Elizabeth*?

Does not every Protestant communion assert the spiritual independence of her church? Does this claim trench on their allegiance?

4.—*Popes, it may be said, have carried their pretensions to an iniquitous length: they have pretended to discharge subjects from their allegiance; and some subjects have been swayed by them to a dere-*

liction of their duty. Of this, You produce unquestionable instances; You also cite many writers who have advocated these pretensions.

I answer,—1st, That it has, at all times, and by every portion of Roman Catholics, been allowed, that the Pope's title to these rights is no article of the faith of the Roman Catholics:—2dly, that the claim of the Popes to them, has been repeatedly called into question, and contested with them in all cisalpine and many transalpine territories:—and 3dly, that all Protestant churches have advanced the same pretensions, and have incalculably oftener, carried them into execution. What millions of subjects in France, Spain, Germany, and the Low Countries, have not Protestants, in support of these pretensions, drawn from their allegiance? How many Catholic thrones have they prostrated?

5—*Then, talk not to me of its following from a subject's being a Catholic, that his allegiance to a Protestant king cannot be depended upon, unless You admit, that it also follows, from a subject's being a Protestant, that his allegiance to a Catholic king is equally insecure.*

Wait, I say, in each case, till a criminal act shall be done by the dissident, before You fix guilt upon an individual: Wait, I say, till numerous criminal acts shall be done by these dissidents, before You fix guilt upon the body.

In the time of the Commonwealth, when episcopalian Protestantism was proscribed,—did it follow, that every episcopalian Protestant was a traitor

to "the powers that were?" Was it moral or just, that his absenting himself from the religious service of the state, should be considered, standing singly, a deed of treason, and punished as treason? What should we now say of the French government, if it required all its Protestant subjects to acknowledge the spiritual supremacy of the Pope, and attend the church service of their parishes, under penalties similar to those prescribed by the laws of Elizabeth?

I should consider it detestable:—So to consider it, is perfectly congruous with *my* principles.

Consider the enormous length, to which, *if* You justify Elizabeth's persecuting laws, Your proposition must go. It follows inevitably, that there never has been, and that there does not, at this time, exist a case, in which, if a sovereign and a proportion of his subjects are of different religions, the sovereign is not justified in enacting legislative provisions, which make any exercise of their religion, however otherwise harmless and indifferent, felony or treason to the state, and punishable accordingly.

Beyond this, religious tyranny cannot go: to its whole length the statutes of Elizabeth and, *if* You justify them, Your justification of them proceeds.

Thus, the conclusions which You draw against the Roman Catholics, from their refusal of the oath of supremacy, and in favour of Elizabeth's penal code against them, fall altogether to the ground.

XV. 3.

Your Eulogy of the Moderation of the Laws passed in the first year of the Reign of Queen Elizabeth.

1.—You premise your observations (p. 188) on the sanguinary and penal code of Elizabeth, by affirming that "its laws were all passed in consequence of the danger of the state, of some hostile proceeding on the part of foreign powers, or some discovery of treason on the part of her own subjects."

These lines contain, speaking generally, all the substance of your present chapter, and thus call for particular attention.

1.—With respect to *the hostile proceedings of foreign powers* towards Elizabeth, You are entirely silent on the hostile proceedings of Elizabeth towards them;—to the rebellions which she fomented in France, the Netherlands, Holland and Scotland; to her plunders and piracies in the West Indies, South America, and on our own sea; to the capture of the Spanish treasure galleon, when wrecked on our coast. Much of this took place in the time of professed peace, and was therefore a breach of inter-national law.

2.—These hostile proceedings of foreigners, supposing them such as You describe them, prove nothing against the Catholic subjects of Queen Elizabeth, *unless you prove that these co-operated in them.* You have not produced, and I defy you to produce, a single instance of this co-

operation, which fixes guilt upon the Catholic body.

3.—As to the dicovery of *treason among her own subjects*:—If you mean, in this place by *treason*, those acts which were treasonable by the antient laws and constitution of the country, I affirm, most positively, that nothing of the kind has been or can be proved against the Catholic subjects of Elizabeth, which inculpates the general body, or even what may be called a proportion of them.

4.—I will add, that if all the treasons charged upon them were true, the number of Catholics whom they would affect is so small, that effrontery itself would not dare to charge them upon the whole body.

5.—The great question between us is,—Did justice and morality render it lawful for Elizabeth to make the creed and liturgy of the smallest religious denomination of her subjects the creed and liturgy of the state; to spoliate the antient clergy of their possessions, and transfer them to the new establishment; to legislate that the non-conformists to it should be delinquents in the various gradations of misdemeanour, felony, and treason, and punishable in the various gradations of fine, confiscation, imprisonment and death?

This leads to the following and very important consideration:—Did not candour, and even perspicuity require, that whenever You brought the charge of treason against the Catholic body, or Catholic

individuals, You should have explained, whether the treason with which You professed to charge them, was that which was treason under the subsisting law of the realm; or that which never was treason till Elizabeth's Draconian laws made it such. By not attending to this, You frequently, and often very injuriously to the Roman Catholics, mislead your readers.

6.—Thus all the ground upon which You attempt to advocate the sanguinary code of Elizabeth, fails You. But to proceed,—

I have frequently considered the *nature of the supremacy* conferred upon Queen Elizabeth by this act of the first year of her reign: I have given the result to the public, in my Historical Memoirs of the English, Irish, and Scottish Catholics.*

It appears to me clear, that, if the act conferring it, ascribed explicitly and unequivocally temporal sovereignty only, to the queen and her successors, and if the clauses in it which deny the supremacy of the Pope, had denied his temporal power only, the oath would have been unobjectionable, and have been taken universally, or at least with a very trifling exception, by the whole Catholic body.

But the oath went much further. Agreeing in nothing else, Hume,† and Mr Neale‡ assert, to use the words of the former, that "Elizabeth always pretended, that, in quality of supreme

* Ch. XXIV. 6.

† Ch. XL. ‡ Ch. IV.

"head of the church, she was fully empowered "to decide all questions which might arise with "regard to doctrine, discipline, and worship; and "would never allow her parliament so much as "to take these points into consideration." Mr. Neale's arguments "that the act was intended to "confer on the Queen some powers, merely "spiritual, and belonging of right to the church," appear to me incontrovertible.

It could not therefore be taken, either by the Catholics or the Puritans: even the party afterwards denominated the High Church, could not take it consistently with their own principles: Would you assign to George IV. the spiritual prerogative claimed by Elizabeth, and generally allowed to be assigned to her by this oath?

You know that the oath was altered at the Revolution; that then, the assertion of the spiritual supremacy of the Crown was expunged, and the denial of any foreign supremacy substituted for it. Was not this an unequivocal admission, that the disbelief of the spiritual supremacy of the Crown, for which Roman Catholics and Puritans had in such numbers, and for so great a length of time, been persecuted, was perfectly consistent with the allegiance of English subjects?

7.—You next proceed to the *Common Prayer*. It is now considered, and from the beginning was considered, to contain several things contrary to the doctrine of the Roman Catholic church. This can admit of no doubt.

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No Roman Catholic could therefore conscientiously attend a church in which the ritual of the Common Prayer was used.

By the act of the first of Elizabeth, those who absented themselves from their parish churches, were liable to a forfeiture of one shilling to the poor, for every Lord's day in which they so absented themselves; if they continued their absence for a month together, they were liable to a forfeiture of 20*l.* to the king; and if they kept in their own house any inmate guilty of such absence, they were to forfeit 10*l.* for every such inmate. Every fourth Sunday was understood to complete the month: thus thirteen months were, in relation to those penalties, supposed to complete the year. "Strange and severe," You say, (p. 193), "as those laws now must be considered, great progress in liberality had evidently been made by "their comparative mildness. That it must be "remembered is the only point which it is now "necessary to prove. The payment of one shilling, or twenty pounds, was not so terrible as fire "and faggot. No prince in Europe at this time "defended or sanctioned the laws respecting religion with penalties so mild as these." A previous admission of your own shows your last assertion to be unfounded. In page 186, You inform us, that "in Germany the treaty of Passaw "had given to both parties a temporary repose." But in this view which You give of the case, two important circumstances, wholly passed over

by You, must be taken into consideration. In every other state of Europe, the religion which the sovereign defended or sanctioned, was the antient religion of the kingdom; and the numerical proportion of those against whom it was to be so defended or sanctioned, was very small. Two-thirds of the English nation were, at Elizabeth's accession to the throne, Roman Catholics; and their's was both the antient and the actual religion of the country. Now, to consign by one legislative provision, two-thirds of a nation to fire and faggot, was impossible. I cannot therefore give Elizabeth as much credit as You do for abstaining from this attempt, or think it proves an increase of liberality. What she could not do, she did not; what she could do, she did: she consigned two-thirds of her subjects for adhering to the antient and actual religion of the country, to degradation, vexation, want, beggary and inanition.

According to the best calculations, money, in the time of Elizabeth, was between three and four times its value in the present time. Taking it at the lowest of those values, one Sunday's absence from church subjected the delinquent by the laws of Elizabeth to a forfeiture of three shillings; a month's absence, to a forfeiture of 60*l.*; a year's, to a forfeiture of 780*l.* of our money. Is it possible to justify those inflictions? to consider the sure and certain consequence of them without horror? The immediate operation of them was to spoliate the nobility and higher gentry of a portion of

their rents, which they could ill afford to spare; to reduce the commoners to yeomen; the yeomen, to labourers; and the labourers, to helots.*

But,—what language can adequately describe the barbarity of Elizabeth's religious legislation in respect to CATHOLIC IRELAND, immediately after her accession to the throne?—Her spiritual supremacy was required to be professed by all the nation,—a nation, which consisted *wholly* of Roman Catholics,—under the successive penalties of a forfeiture of all the party's real, and all his personal estate,—of premunire, and the punishment of traitors by death and embowelment alive. Absence from the Protestant service was punishable by a forfeiture of 12*d.* for each offence,—equal, at that time, in Ireland, to 10*s.* of our present money. The service was to be read in the English language, then wholly unintelligible to the Irish people;—but with liberty to the clergyman, if he should think proper, to read it in Latin, a language equally unintelligible to all but the clergy. Is this the legislation of a princess, whose tolerating principles and mildness, and of councillors whose wisdom and justice You so highly eulogize? Does history record an instance of intolerance equally savage?—You, however, mention with applause (page 193) "the calm, sober, and reflecting mind" which contrived them, and its "comparative mildness."

* Doctor Lingard's History, Vol. V. c. X. "Penalties of "Recusancy."

XV. 4.

The Act of the fifth year of Queen Elizabeth, against the Roman Catholics.

I acknowledge, as I have done more than once in my writings, that this act was caused by *the bull of Pius V.* and that this bull cannot be mentioned in too strong terms of condemnation.

But "the bull was never received by the English "Catholics, nor published nor even signified to them "by any legal or canonical method. They conti- "nued their allegiance to Queen Elizabeth, acknow- "ledged her title, prayed for her, fought for her, and "were, upon all occasions, ready to support her civil "rights. They knew the deposing power was not "the doctrine of the Catholic Church, but only "of some Popes and particular divines, whose "opinions and practices they were not charge- "able with." * It was the same in respect to foreign Catholics;—"The bull of Paul III. against "Henry VIII. and that of Pius V. against Eliza- "beth, were," says Bossuet,† "waste paper, "despised by the heretics, and in truth by the "Catholics. Treaties, alliances, commerce, every "thing, in a word, went on as before, and the "Popes knew this would happen: still, the court "of Rome, though aware of the inutility of their "decrees, would publish them with the view of "acquiring a chimerical title."

* Dodd's Church History, Vol. II. p. 51.

† Defense de la Declaration du Clergé de France, Livre IV. ch. 23.

Cardinal Allen, and Watson, the bishop of Llandaff, the last surviving Catholic prelate, disapproved even the excommunication, and wished that "the whole business had been left to God."*

† Soon after the promulgation of the bull of Pius, the following quere was put, and the following answer to it given:—"Whether Queen "Elizabeth was divested of the kingdom by the "deposing bull of Pius V.?—Or, by any other sen-"tence passed or to be passed?—Or her subjects "discharged from their allegiance?"—It was answered, that "Notwithstanding the bull, or any "other declaration, or sentence of the Pope passed "or to be passed, we hold Queen Elizabeth to be "the lawful queen of England and Ireland, and "that obedience and fealty is justly due to her, as "such, by all her English and Irish subjects.

(signed "*Richard Watson.*
"*John Feckenham.*
"*Henry Cole.*
"*J. Harpsfield.*
"*N. Harpsfield.*"

Burleigh, in his "Execution of Justice," says, that "Heath, archbishop of York, and the Bishops "Poole, Tunstal, White, Oglethorp, Thurlby, Tur-"berville, and many abbots and deans, acknow-"ledged the same question."

* Caron's Remonstrantia Hibernorum contra Lovanienses ultramontan asque censuras, Ch. V. s. 6.

† Pattinson's Image of Churches, page 403.

Father Caron also mentions, that the Apology for the Catholics, printed at Douay, and presented to James I. in 1604, declared, that "those prelates held themselves to be ready for "the defence of the queen, to expose and oppose "themselves with all their strength to any ex-"ternal power, whether of the Pope or procured "by the Pope."

2. You attribute (page 96) the refusal of the Roman Catholics to attend the Protestant service in the parish churches to the bull.

"Now began," you say, (p. 199), "the suspi-"cion of treason. If the people of England, or any "part of them, could obey one part of the Pope's "bull, because they considered their obedience to "him an act of religion; on what principle could "the queen and her government infer that her "subjects would not obey also the other parts "of the bull. If to please God, to preserve their "religious peace, and to obey the Pope, they ab-"sented themselves from their parish churches, "why should they hesitate to put in force the "sentence of deposition, which was commanded by "the same authorities? Hitherto the recusancy of "the Puritan and Romanists was a civil offence, "they rejected only conformity in religious matters "which the Queen wished to establish. Now their "recusancy became a political crime, for they "openly obeyed the public enemy of the queen "her government."

All this is a mere fancy-piece. The Roman

Catholics did not absent themselves from the Protestant service in consequence of the bull of Pope Pius V. This wretched instrument was issued in 1570. Now the decree of the Trentine doctors,* which declared the attendances of Catholics at the Protestant service to be unlawful, was promulgated in 1562, eight years before the papal bull was issued; and it is quite clear, that long before its promulgation, the majority of the Roman Catholics used to absent themselves from the Protestant service. See then how unjust is your assertion (page 199), that "the Romanists generally frequented their parish churches till they were forbidden to do so by the same bull which deposed their sovereign;" and how baseless all the conclusions are which you draw from it.

You ask me (page 196), "whether I should have condemned the king and parliament of England, if they had required the subject to deny the authority of the Pretender, or the Bourbons, or Napoleon, or any other open enemy to the state?"

Certainly not: Nor should I have condemned Elizabeth, if she had required the most ample and explicit profession of allegiance from her Roman Catholic subjects;—or had required from them to deny, in the most ample and explicit terms, allegiance of any kind to the Pope;—or the most ample and explicit denial of the Pope's temporal authority;

* Dodd's Church History, Vol. II. p. 24, 44, 292. Hist. Mem. Vol. I. p. 310.

—or the most ample and explicit denial of his right to any spiritual authority in this country, that conflicted with the allegiance of subjects to their sovereign, or with any other political, civil or moral duty.

You then ask me (p. 197), "if the Pope governed the consciences only of the Romanists?" I answer, that, whatever was his authority, he governed their consciences only.

3. "The Jacobin and the Romanist," you say (p. 197), "were the avowed enemies of England; "both excited the nations of Europe against its "sovereign; both were supported by large numbers "of the people, among whom will always be found "thousands and tens of thousands who hate the "existing government, whatever be its form, prin- "ciple, or excellence."

Both in my "Historical Memoirs," and my Letters to Dr. Southey, I have acknowledged, with the late Rev. Charles Plowden,* that *a few, but only a few Catholics were led astray by this bull and its advocates, from their allegiance.*— The number of them it is at this time impossible to calculate with any thing like a near approach to precision; but I am confident it was small.

But the Catholics were not as you call them (p. 197), enemies of England. They remained firm in their allegiance, true to God, and true to their queen.

* In his "Remarks on a book intituled Memoirs of Gregorio "Panzani": the whole passage is transcribed in the "Historical "Memoirs," Vol. I. p. 415.

XV. 5.

Your Justification of the Acts passed in the 13th, 23d, and 27th years of the Reign of Queen Elizabeth, against the Roman Catholics.

1.—Let me now ask," (p. 206);—thus you interrogate me—"can it be considered a religious "persecution?"

I answer,—that it must be considered a religious persecution.

2.—"Was not"—You continue to inquire,—"the queen justified in passing severe laws against "those, who asserted that she was not a lawful "sovereign; who arrayed against her the religious "principles of one half her people; were not those "who brought in the bulls or mandates of this "avowed political enemy of England rightly con-"demned of high treason?"

I answer—that Elizabeth was justified in passing severe laws against those, who asserted that she was not a lawful sovereign;—or who arrayed against her the religious principles of half her people;—or who brought into this kingdom the bull of Pius, or any other papal bull which was of the same effect, or impeached in the slightest manner the title of the queen.—All, who committed these acts were guilty of high treason. But of such acts the Catholics in England were innocent: and I must add, that, according to every divine and human law, these acts should have been proved by legal evidence, against the parties

accused of them, before they were found guilty; there scarcely is an instance,—even one I believe cannot be found,—in which the deed was proved, I will not say by legal, but even by reasonable evidence.

3.—You say (page 202), "That there would be "again, men, who would be ready to disclaim "every tie, and sacrifice life itself, in obedience to "the supposed will of God, in submission to their "priesthood, and to their spiritual lord, the Pope:" If you mean, by these words, to insinuate that,—if, UNDER ANY POSSIBLE CIRCUMSTANCES, a similar bull should now be promulgated, and the Catholic subjects of his Majesty required to obey it, their conduct would be such as you suggest,—I most solemnly aver, that the universal body of the Catholics—that every Catholic—would laugh at such a bull in scorn, and consider it, not as the voice of God, but as the voice of the evil one. I call upon You to mention a single word or deed of any of your Roman Catholic countrymen, that warrants your suggesting such a supposition. I am in perfect astonishment that, in the nineteenth century, so groundless an accusation should be urged.

4.—Referring to the passage, which I have cited from my "Historical Memoirs," you say (page 207), "We, the simple, the bigotted, and illiberal "Protestants, who still believe that our ancestors "were men of wisdom, and had sufficient reason to "pass their various enactments against the Ro-

"manists, are curious to know, what epithet is "applied by a modern, candid, liberal and dis- "bigotted Romanist to these bulls. The effect "of the Pope's decrees would have been to plunge "this country into the most fierce and sanguinary "civil war, which this or any other country had "ever witnessed. They deposed the sovereign, "and excised treason in the subject. They substi- "tuted rebellion for loyalty, and Romanism for "religion. The Protestant would perhaps use "strange and uncourteous epithets against them; "they would appear to him savage, shameful, "abominable and detestable. But the liberal "Romanist avoids all those bigotted phrases, and "calls the bulls *illaudable*;—yes, they are "*illaudable!!!* they cannot be quite approved; "on the contrary, they deserved censure. Oh! "spirit of the martyrs!"

Thus You attempt to hold me out to ridicule, and to what is worse.

But, what have I really said of this bull?

In my "*Historical Memoirs*," I say of the bull,—

"*That*, it is ever to be condemned and "lamented;

"*That*, the Pope assumed by it, a right, the "exercise of which Christ had explicitly dis- "claimed for himself;

"*That*, it tended to produce a civil war between "the queen's Protestant and Catholic subjects, "with all the horrors of a disputed succession

"*That* it necessarily involved a multitude of "respectable and conscientious individuals in the "bitterest and most complicated distress!"

I ask, "what could have fascinated the Pon-"tiff, otherwise virtuous and pious, as all histo-"rians describe him, into the adoption of such a "measure?"

I call it, "a proceeding, which could not but "irritate the queen and all her subjects, whether "Catholics or Protestants, who were attached to "her by affection or a sense of duty."

In my fifteenth Letter to Dr. Southey, (p. 267), I observe to him, that "he cannot express himself "of it, and the renewal of it by Sixtus Quintus, "in stronger terms of condemnation, than I have "used in my Historical Memoirs;"

In a former letter (p. 29), I have cited from *my Revolutions of the Germanic Empire, and my Historical Memoirs*, my opinions of the claim of the Popes to temporal power, and the acts by which they attempted to enforce those claims, among which *I mention expressly and particularly the bull of Pius* V:—I call the claims unfounded,—impious,—hostile to the peace of the world,—extravagant and visionary;—I call them enormities, and one of the greatest misfortunes that ever happened to Christianity.

What stronger words of reprobation of the Bull could be found?

But, if all this was wanting, your representations of my language would still be most inexcusable, as

the real meaning of the word "*illaudable*," is immeasurably different from that which You ascribe to it. *Milton* thus uses it—

> "Strength from truth divided, and from just,
> "*Illaudable*, nought merits but dispraise."

Besides,—when You wrote the passage in question, were You not fully aware, that I alluded to the celebrated verse of Virgil,

> "Aut *illaudati* nescit Busiridis aras?"

And that *Aulus Gellius*, *Heyné*, and all the commentators, justify Virgil's application of the word "illaudati" to the detestable Busiris, by its being a word, denoting infamy;—a word which describes "a person never to be named, never to be recorded, "unworthy of any mention."

5. You then mention, (p. 209), the massacre at Paris on St. Bartholomew's-day, and the approbation of it by Pope Gregory.—Permit me to say, with Doctor Milner,*—"As to the horrid deed "itself of blood and perfidy, I will not at- "tempt to justify it, as the king, the queen "dowager, and their ministers did, at the time, "when it happened, by pretending that the Hu- "guenots were on the point of executing a plot to "destroy them, and to overturn the government; "because it is now clear from history, that no such "plot existed at that particular time. I will not "even extenuate its atrociousness by expatiating on "the two real conspiracies of Amboise and Meaux, "for seizing on the very king and his court, and for

* Letters to a Prebendary, Letter IV.

" subverting the constitution of their country, which
" the Calvinists had actually attempted to execute;
" or on the four pitched battles, which they had
" fought against the armies of this their sovereign;
" or on their treachery in delivering up Havre de
" Grace, the key of the kingdom, into the hands of
" a foreign potentate, queen Elizabeth; or even upon
" the massacres, with which they themselves had
" previously inundated all France. So far from
" this, I am ready to exclaim with Thuanus, or with
" yourself, in contemplating the horrors of St. Bar-
" tholomew's-day, *Excidat illa dies ævo nec posteri*
" *credant sæcula.*"——If I were satisfied that
" Gregory XIII. had approved of the foul deed of
" St. Bartholomew's day, after having viewed it in
" the same clear and steady light, in which you and
" I behold it, now that the clouds of royal calum-
" ny in which it was invested have been dis-
" persed, I should not even then, think that perse-
" cution was proved to be an article of his faith,
" but I should judge him to have partaken of
" Charles's and Catherine's sanguinary disposition,
" in opposition to the character which historians
" have stamped upon him. But you will recollect
" the infinite pains which the French king took by
" letters, embassadors, rejoicings, and medals, to
" make both his subjects and foreign princes, but
" most of all, the Pope believe, that, in killing the Hu-
" guenots, he had only taken a necessary measure
" of *self-defence* to preserve his own life, together
" with the constitution and religion of the kingdom.

" If we admit these accounts to have been believed " at Rome and Madrid, as there is every reason to " suppose they actually were, the rejoicings at " these courts will put on a very different appear- " ance from that in which you exhibit them."

6. You assert, (p. 212, note), that " Doctor " Lingard, *with the utmost unfairness*, takes no " notice of the approbation which his party gave " to the massacre, when they supposed it to be " a religious action." Neither is any notice taken of this approbation by Hume or Carte. Why then do You infame Doctor Lingard for his not mentioning it?

7. Proceeding through your pages, I reach the 229th, in which You say, " It is not a matter " either of curiosity or of exultation to me, or to " any Protestant, to observe the deplorable *attempts* " *which you have so uselessly made to reconcile* " *this petition of Father Campian, and the dispensa-* " *tion for his temporary obedience, with the asserted* " *perfect loyalty of the Romanists at this period.*" Now, so far from attempting " to reconcile the " petition of Father Campian, and the dispensa- " tion for his temporary obedience, with the loyalty " of the Roman Catholics," I have unequivocally condemned in severe terms both the petition and the dispensation. In my " Historical Memoirs " of the English, Irish and Scotish Catholics,"* I say,—" The dispensation has been termed a " mitigation of the bull of Pius; now, in respect " to Elizabeth and her heretical subjects, it scarce-

* Vol. I. p. 366.

" ly deserves this description; and, as it recognises " the principle of the bull of Pius, and suspends " the action of it only, till circumstances made an " execution of it feasible, it was scarcely less " reprehensible than the bull itself; still it quieted " some scruples and had something of a pacific " tendency." Surely, after applying to the bull the terms I have applied to it, an intimation that " the " dispensation was scarcely less reprehensible than " the bull itself," is so far from an attempt to reconcile it with loyalty, that it is an unequivocal condemnation in the harshest terms of its disloyalty.

8. In page 200, you mention " the insurrection " of *the Earls of Northumberland and Westmor-* " *land*, to depose the queen." Their insurrection was treason; but, You have omitted to mention that they acknowledged the title of the queen to the throne;—and, which is of much greater consequences,—You wholly conceal, what I shall mention, from Camden, the queen's eulogising historiographer, that " the two earls sent letters to " the Papists all around the kingdom, and advised " them to come to their assistance; but so far " were they from joining with them, that most of " them sent the letters which they had received, " with the bearers of them, to the queen. Every " one strove who should be most forward in the " tender of his service, and the offer of his purse " and person towards reducing the rebels."

9. " You inquire," (p. 210), thus you address yourself to me,—" Whether the order given by the

" episcopalian government of Scotland, to massacre " the non-conforming Presbyterians, the massacre " at Glencowe, Munster, &c. &c. &c. proved the " principle of assassination to be the principle of " the Protestant Church? Certainly not;" You answer, " for this doctrine," You say, " was never " taught by our council or creed."

Never, never was this doctrine taught by the councils or creeds of the Roman Catholic Church. The 3d canon of the 4th council of Lateran, is your only stay for your assertion of the contrary; and that canon I have annihilated.

Did not the supreme head of your church, did not all your Lords Spiritual sanction every persecuting act which has been passed in this kingdom, against the Roman Catholics and Puritans? Did not some of your Lords Spiritual regularly attend the sittings of the High Commission? What greater sanction has any church given to religious persecution? Why do you force me to mention these things? I most seriously wish,—and You know that I have often and often expressed my wish, that these lamentable scenes should be forgotten? Why do Doctor Southey and You keep the remembrance of them alive?

10. The inhuman act of the 27th of Elizabeth has your entire approbation: She banished, by your account, the priests, on the discovery of a plot framed by the Pope, the King of Spain, and the Duke of Guise, to invade England.—You produce no evidence of the plot, and I am sure no evidence

can be produced, which proves that the English Catholics were engaged in it. "It is true," say You, (p. 223), "that the Romanists, by the exile of their "priests, would be left without ministers of reli-"gion; but the kingdom would lose its disturbers, "and the queen her traitors. Which alternative "was the Government to prefer?"

Now, Sir, permit me most solemnly to request You,—to come forward, and to produce all the evidence which You have in your power, to prove that the priests who resided in England at the time when this act was passed, (for those only it concerns), were traitors;—that any treasonable practices were then carrying on by them;—that any of them attempted to execute Pope Pius's execrable bull; brought it into the kingdom; circulated it; propounded its lawfulness, or, in any other manner, was art or part in it; or, in any other act inconsistent with the warmest loyalty, with the most perfect allegiance. Deal not in generals; name the individuals You charge; specify the act, with which You charge them; produce Your proofs of the charge. Then and then only You will be entitled to a hearing. When a charge is made, and a flat denial of it given, no regard can be shown to it, until it is proved.—Here then we stand;—You say the priests of whom we are speaking, were traitors for engaging in the plot You mention: I flatly deny the assertion;—I say, THEY WERE NOT ENGAGED IN THE PLOT, and demand your proofs. Nothing of the

kind was proved, either against Mr. Mayne or Mr. Tregon,—(Tregian). The latter was a layman, and was not executed. So defective was the evidence against the former, that, to induce the jury to find him guilty, Mr. Justice Manhood, who tried him, alleged to the jury, "that, when plain proof was "wanting, strong presumptions ought to take "place." *

11. In page 218, You mention what is called *Throckmorton's treason*, in terms which appear to import, that his guilt admitted of no doubt. Does not Dr. Robertson † declare explicibly, that "many "circumstances appear to be remote from truth, "and even from probability." "It is strange", says Carte, ‡ "that the jury should find him guilty "upon such an extorted confession, part of which "was certainly false." The general opinion of his innocence was at the time extremely great. To counteract its impression, Government caused "*An Account of Francis Throckmorton's Treason*" to be published. "But notwithstanding the vast art," says Guthrie, § "with which it was written, it will "be difficult for any gentleman of the law, to "discover upon what evidence Throckmorton was "convicted; if he takes from the queen's council

* Doctor Challoner's Memoirs of Missionary Priests, Vol. I. p. 11. For Mr. Tregan's sufferings, See Dodd's Church History. Vol. II. p. 168.—Hist. Mem. of English, Irish and Scottish Cathol. Vol. II. p. 27.

† Hist. of Scotland.

‡ Hist. Vol. III. page 586.

§ Gen. History of England. Vol. III. p. 422.

"the advantage of his own confession when on "the rack." The late Lord Auckland* points out the barbarous irregularities of Throckmorton's trial, and uses them to prove his general position, that "in the progress of his trial the prisoner was, "in these times, exposed to such dangers, as left "him but little security, even in the strictest in- "nocence." On all this you are quite silent.

Dr. Parry's tale is too ridiculous for discussion.

12. *You then travel into foreign countries*; but, according to your custom, while You mention the cruelties exercised by Catholics on Protestants, You are wholly silent on those exercised by Protestants on Catholics.—Justice required of You, either to mention, or to be silent upon both. In the same manner, You give us a list of regicidal writers of the Catholic communion; are they less numerous or less atrocious than Buchannan, Knox, Milton, Wilcox, Goodman, and several other Protestant advocates for regicide?

13. In page 231, You cite bishop Taylor, for saying that "*the statute against the priests were* "*not passed till after much evidence*, both by the "confession of the same priests themselves, and "diverse lay persons,—that many of them at least "came into England to instigate the loyal to the "execution of the bull. This appears from the trial "of Mayne the Jesuit, and Mr. Tregion, who were "executed at Launceston for the same matter."

* Principles of Penal Law, 106, 193.

That any one Catholic priest, or any one Catholic layman, confessed that he was sent over to instigate the loyal to the execution of the bull, I do not believe. "That these seminarists were "executed for treason, and not for religion ap- "pears," You say, (p. 221), "from the admirable "tract of Lord Burleigh, printed in Bishop Gib- "son's collection." Surely You should have noticed that Dr. Allen published a reply, (in my opinion a triumphant reply) to this tract. The fallacy of Lord Burleigh's work consists in this:—when he says that the priests were executed for treason, his readers are naturally led by this expression to suppose, that the priests were executed for acts which were treasonable by the ancient law of the realm, or the acknowledged law of every country. Now, nothing can be farther from the fact; the treasons for which they were executed were acts, which under the ancient laws of the realm, were meritorious, or at least indifferent,—but rendered treasonable by Elizabeth's barbarous enactments.

14.—"For an account," You say in page 221, "of *the refusal of the priests to profess their* "*allegiance to the queen*, which was in fact, de- "claring their allegiance to the Pope and his "party, I refer to Your own narrative in the first "volume of Your History of the Catholics of Eng- "land, and to the third volume of Tracts against "Popery." This part of my History was written after great research, and with particular care. I see nothing in it, which in respect either to fact or

reasoning, exposes me to censure, or requires the slightest alteration or explanation.

I say in it,*—"That the replies made by the "priests to the six questions were unsatisfactory, "is too clear;" that "they are either refusals to "answer or evasive answers, or such answers as "expressed their belief of the deposing doctrine, or "at least a hesitation of opinion respecting it."

I add, "that among the six questions, there is "not one which the Catholics of the present times "have not fully and unexceptionably answered in "the oaths which they have taken in compliance "with the acts of the 18th, 31st and 33d year of "his present majesty;"—and that, "in the reign "of Elizabeth, several priests and the bulk of the "laity would have answered them with the same "candour and integrity of principle, as all the pre-"sent Catholic clergymen and laity of England "would now answer them, and have in fact an-"swered them."

In every part of my works, in which I have mentioned the refusal of the priests to answer these questions, I have lamented and condemned it. But let them not be blamed more than they deserve. In the words of Father Hart, one of the refusing priests,—which answer I have transcribed in my Historical Memoirs;† "they acknowledged "her majesty to be their lawful queen; and that "she ought to be obeyed, notwithstanding the bull

* Vol. I. p. 429. † Vol. I. p. 439.

" the bull, supposed to be published by Pius the
" Fifth; but whether she ought to be obeyed and
" taken for lawful queen, notwithstanding any bull
" or sentence, the Pope *could* give, this, they said
" they could not answer."

I have no hestitation in repeating my opinion of that their refusal to answer their questions, justified strong precautions. But I also confidently assert, that all Elizabeth's new creation of felonies, præmunires and treasons was an enormous abuse of the power of legislation, and cannot be too strongly deplored or condemned. If her government had been just and humane, even precaution would have been unnecessary.

15.—Your account of Father Campian, (page 226), contains much misrepresentation, both of him and of my account of his trial.

You say, that, from " my account of him, You
" might infer, that he came into the country as an
" innocent merchant and traveller, and was arrested
" and condemned solely because he was a priest,
" and believed in transubstantiation and purga-
" tory."—Have I insinuated anything of the kind?—Have I not said, and, in your next preceding page, have You not cited me for saying, that
" he had entered into the society of Jesus,—had
" been ordained priest, and had returned to Eng-
" land to exercise his missionary functions?"
Then You exclaim,—" How great will be the
" astonishment of the reader, who has depended
" on your *apparent* fairness and impartiality in

" your Book of the Roman Catholic Church, " when he hears that Father Campian came to " England,"—at the time and for the purposes You proceed to specify.—What grounds have You for this exclamation?—I certainly mention, in the Book of the Roman Catholic Church, the time of Campian's arrival. I mention in it, that his purpose was, as I have just observed, to exercise his missionary functions.—The Bull of Mitigation I have cited and condemned in my Historical Memoirs, and it is mentioned in the authors I have referred to in the bottom of this page of the Book of the Roman Catholic Church? Was it necessary that I should re-write in that book every part of my Historical Memoirs? Are not these continually referred to? Do I not know by Your frequent references to them, that they were always under your eye?

"Campian did not come to execute the Bull of Deposition.—He declared, both upon his trial, and under the fatal beam, that he considered Elizabeth, both in fact and right his queen. But all this is beside the question; I only profess to give an account of his trial; and upon his trial nothing said or insinuated in your exclamation, was proved, except his having been ordained a priest and having come into England.

16.—Here I beg leave to protest against your presenting, as You do in this place, and in a multitude of others, Your own views of the missionary functions or objects of the priests, as their real functions and real objects. These were,—and only

were,—to instruct and confirm the people in the antient religion of the country, and in their religious and moral duties. The spiritual supremacy of the Pope was certainly a prominent tenet of the antient religion. You infer it to be a necessary consequence of their teaching the supremacy, that they instigated the people to accept the Pope's bull, and to concur in the deposition of the queen, which it prescribed. This is Your conclusion? and if You only presented it as such, I should have nothing to complain of, for You have the same right to draw conclusions as I have. But,—when You present Your conclusions as facts, You confound one with the other, and present to your readers the former as the latter.

From the firft existence of these sanguinary laws to the present time, the Roman Catholics have uniformly denied,—and their priests as strougly as others,—that it was a part of their instructions to recommend, or that they ever did recommend a compliance with that bull. "Counterfeit letters* "were privately left in their houses; spies sent up "and down the country, to notice their discourses, "and lay hold of their words; informers and re- "porters of idle stories against them, countenanced "and credited: and even innocence itself," to use Camden's own words, "though accompanied by "prudence, was no guard to them." Emissaries were employed, witnesses tutored, solicitation and terror used, and even the torture applied to procure

* Carte's History, Vol. III. p. 385.

evidence of the facts of which the priests were accused: but I defy You to produce a single instance, among the two hundred priests who suffered, in which their having recommended a compliance with the deposing injunctions of the bull, or even their having mentioned them, was proved against them. Is it then just, is it honourable, to present as clear indisputable facts, Your own conclusions? conclusions ever denied and protested against by the Catholics? If we are to be infamed, let it be by the production of facts, not by suppositions of them. —But no such facts can be produced against us; nothing is more completely true, than, what Dr. Milner asserts, in the sixth of his unanswered and unanswerable letters to Doctor Sturges, respecting the undeviating loyalty both of the Catholic clergy and Catholic laity, through the whole of the reign of Elizabeth: I shall transcribe a passage from the work at the end of this section of my present letter.

17.—I must now consider *Your vindication of Hume*, (p. 231). "He avers, that sedition, rebel-"lion, and sometimes assassination, were the means "by which the seminarists intended to effect their "purpose against the queen." In my fifteenth Letter to Doctor Southey, and in my Historical Memoirs, I have denied the charge generally, and justified my denial by seven unquestionable facts. These You successively mention and answer. I shall state in Your own words, my assertions and your answers, and then severally reply to the latter.

1.—I have said in the work I have mentioned,

that of two hundred sufferers, one only impugned the queen's title.

You answer, by addressing me in these words;—"Do You mean that they denied the authority of "the Pope's bull? The mere fact of their re-"ceiving and acknowledging the bull was to deny "the title."

I reply,—that they explicitly acknowledged Elizabeth to be their queen in fact and in right; and that receiving or acknowledging the Pope's bull, either by word or deed, was not proved upon any of them.

2.—I have said, that "all persisted, to the last, "to deny their guilt, except the mere exercise of "their functions."

You ask,—"Was not teaching obedience to a "foreign enemy, that is, to the Pope,—a part of "their functions?"

I reply,—That the priests taught obedience to the Pope, in concerns merely spiritual, and this only in the manner and to the extent which the antient law of the realm both allowed and ordered; and that they inculcated no obedience whatever to Pope Pius's bull, or any obedience whatever to the Pope, which conflicted with the duty of allegiance.

3.—I have said,—That "their accusers were "uniformily persons of bad lives, and of the lowest "character."

You answer that, "they were necessarily disco-"vered by spies, or betrayed by servants or accom-"plices, who are generally of this description."

I reply,—that You therefore admit the fact I have alleged. The circumstances attending one of these discoveries, are so extraordinary, that I shall mention them in a note.*

* "What credit is due to the confessions of Catholics, extorted at this time in the Tower, may be gathered from a letter of the celebrated apostate priest, John Nicholls, to Cardinal Allen, dated February 19th, 1583, who, having written a book against the Catholics, and otherwise wrongfully charged them with different crimes, excuses himself as follows:—"Mr. Allen, whatever I have written against the pope, cardinals and bishops, I have written through ambition. God is my witness, that I never should have written at all, if the governor of the Tower had not forced me to do so. I have written and done many things which I have refused to write and to do, until the governor threatened me with the severest torture of the rack, the idea of which made my frail flesh tremble. I could hear nothing else in the prison, but such language as this: *Do so and so, or else the keepers shall take you to the torture*; (I had rather they had said the gallows.) Alas! Sir, it is no trifling thing for the body to be stretched upon the rack, until it is nearly two feet longer than nature made it. The fear and horror of their tortures, which they described to me, quite overcame me. I therefore wrote down whatever names the governor, or his servant, ordered me; amongst others, I put down those of Sir George Peccam and Judge Southcot, as being papists, and many others, quite unknown to me. Sir Owen Hopton, the governor, obliged me with his threats to make my confession just as he pleased; and when I had written the names of any papists (many of which I had never heard before), he required me to accuse them of being partizans of the pope and the queen of Scots, and professed enemies of the queen and council. *Do thus*, he would say, *and the queen will promote you, and I will be your friend; but if you refuse, you shall be severely punished.* From these particulars, you may judge of the rest." See the whole letter

But I must express my astonishment, not to find in Your work, a single passage, in which You commiserate the sufferings of the Catholics, or blame the administration of the torture, or remark upon the little reliance which should be placed on confessions obtained by such iniquitous means. You even praise Burleigh's "Execution of Justice," where the use of the torture is justified. Words cannot express stronger reprobation of the Inquisition, its tortures and its other practices, than I have done repeatedly.

4th. I have said,—that the torture never produced a "confession of guilt."

You answer that "the priests confessed that "they violated the law of England by obeying the "Pope; this, under the existing circumstances, was "unavoidable treason."

in the original Latin, Dodd, vol. ii. p. 308; also in the Book de Schism, Ang. p. 328. This John Nicholls, upon his apostacy, was much cried up for his learning, and having obtained some promotion, was appointed to preach a controversial sermon in the chapel of the Tower every Sunday, to which the Catholic prisoners were dragged by main force for near half a year together. Being touched with remorse of conscience, he wrote the above letter, and afterwards fled into Germany, but never reconciled *himself* to the Catholic church. Another of these converts to the rack, about the same time, Anthony Tyrrel, a priest from Rome, having falsely accused Cardinal Allen, Pope Gregory XIII. and other Catholics, of many crimes, and being ordered to publish these accusations in a recantation sermon in St. Paul's cathedral, instead of doing so, exclaimed from the pulpit, that he was a *false wretch*, and a *betrayer of innocent persons*. De Schism ut supra. See his two interesting letters to Elizabeth, in Strype's Annals, vol. iii."—The whole of this note is copied from Doctor Milner's sixth Letter to a Prebendary.

I reply, that they never confessed the commission of any act that was treasonable by the ancient law of the realm; or any obedience to the Pope, which the ancient law of the realm did not allow.

5th. I have said, that "their trials were barbarously irregular."

You answer that "they were unjustifiable in "many instances, but not uniformly so."

I reply, that they were uniformly unjustifiable.

6th. I have said,—that "even these produced "no evidence of their treason, except their exercise "of missionary functions."

You answer, that "the question is as before "said, whether these functions, under the circumstances did not imply treason."

In reply,—I admit, that the exercise of these functions, harmless as they were in themselves, and most respectable as all Elizabeth's ancestors had considered them,—were made treason by the barbarous code of Elizabeth.

7th. I have said,—"that the exercise by the "priests of their missionary functions was seldom "proved by competent evidence."

You answer,—that "they generally confessed "themselves missionaries."

I reply,—that they seldom made the confession except upon the rack, or under too well grounded apprehensions of it.

8th. You now address me in these words,—"With a great appearance of fairness, You request "our candid opinion, *if there is now any ground for*

" *the charge of disloyalty against the Seminarists.*
" —With the same candour I will answer you."—

Your answer is given by a string of questions; each of these I shall copy, and explicitly answer.

1st. " What do you mean by disloyalty?"

The commission of any act, contrary to loyalty.

2d. " Could the Romanist priest, if he was a " conscientious man, be truly loyal to the queen, " against whom his spiritual father had armed all " Europe?"

I must observe,—that to say, " that the Pope " had armed all Europe against Elizabeth," when he had armed, at the utmost, one European power against her, is a monstrous exaggeration.

But this is nothing:

I answer,—1st. That all Roman Catholics could, consistently with conscience and religious feeling, be loyal to the queen, even although the Pope had, in the very strongest terms, and under penalty of excommunication, enjoined them to be disloyal to her, the conduct of the Roman Catholics through the whole period of the Armada, abundantly proves:—2dly, That, with a small exception, all her Roman Catholic subjects were truly loyal to her:—3dly, That neither the law of God, nor the law of man, authorized the Pope to arm a single human being against her.

4. " If the Romanists had been invested at this " period with the power and authority of the state, " would they not," You ask, " have obeyed the " mandates of the Roman Pontiff?"

'I am not certain that I understand your question. If You mean to ask, (which I believe You do), whether, if the Catholic party had, to use a modern expression, forced themselves into the administration, and attempted to re-establish the Roman Catholic religion, and Elizabeth had refused to co-operate with them, they would have obeyed the mandates of the Roman Pontiff, and deposed her from the throne?—

I answer,—they would not.

And, when I consider the peaceful and loyal conduct of the Catholics, when Elizabeth succeeded to the throne,—their unbroken patience, when with agonised minds, but without raising a single arm against her, they saw her break her coronation oath, and establish the Protestant religion on the ruins of the religion of their ancestors,—the loyal conduct of the Catholic body throughout her reign, —and their conduct towards the ungrateful Charles; I have no hesitation in giving this answer to your question.

The Catholic is a loyal religion.—How often has it been made a subject of reproach to Roman Catholics, that their religious principles are too loyal?

5. You then proceed, (page 235), to tell me that "*my reference to Ireland* deserves the "severest reprobation."

That the reader may see whether, what I have said respecting Ireland, contains any thing which deserves reprobation, I shall transcribe the passage, and leave it to his own conclusion.

"Sir,"—I thus address myself to Dr. Southey, in that part of my fifteenth letter to him, in which I attempt to show that Catholics have not been more guilty of persecution than Protestants,—"if "you are not yet convinced that you share the "guilt of religious persecution, at least, equally "with us, turn your eyes westward, and contem-"plate IRELAND!!!"

"There, you will see a people to whom nature "has been profusely kind. She has blest them "with the most genial climate, the most fertile "soil, the boldest coasts, the most navigable rivers; "with strength, industry, energy, virtue, talent!— "With all these advantages, they have for three "hundred years, been the most miserable nation of "the habitable globe, and present, at this moment, "a scene of appalling wretchedness; a wretched-"ness so bitter, so deep, and so extensive, that "even the enemies of their name shudder at be-"holding it; but, at the same time, a wretched-"ness formed by the original artificers of it, with "such fiendish skill and contrivance, that it seems "almost beyond human ability to remove it. To "what is this owing? Let Lord Chancellor Clare "answer in his own words: 'The division of Ire-"land,' says his Lordship, 'between those who "adhered to the Catholic, and those who adhered to "the Protestant religion, is the grand schism which "has been the bane and pestilence of Ireland, "and rendered her a BLANK among the nations "of Europe!'"

Why this passage deserve reprobation, I am at a loss to guess;

Must it not be, either because I have exaggerated the misery of that unhappy country, or because I have misquoted Lord Clare. Now my reference contains no exaggeration, and it transcribes his lordship's very words.

You say, that "every effort, which a wise and "good government can make for Ireland is now "in progress." Be it so: but those efforts are only of yesterday.

16. Alluding to *Lord Clare's expression, that "the division of Ireland into those who adhered to "the Catholic religion, and those who adhered to "the Protestant religion, is the grand schism "which has been the bane and pestilence of Ire-"land, and rendered her a blank among the nations "of Europe.* You say, "if the great schism "can be cured only by the ascendancy of the "Romish Church, and by granting political power "to its adherents, the grand schism must be "continued."

If You mean to announce to us by these expressions,—that, if it should appear that the miseries of Ireland cannot be removed, except by the removal of the Protestant ascendancy, still the Protestant ascendancy should be continued, and Ireland must endure her misery,"—You have said the most disgraceful thing of the Protestant religion, that ever has been, or that can be uttered. From which,—does a religion, which requires the

misery of six-sevenths of a populous nation to the existence of her religion, and the preservation of the ascendancy which supports it, originate? the good or the evil principle?—It is for You to answer; but let it not be forgotten, that the case and the solution of it are Your own.

XV. 6.

Your denial of the merit of loyalty to the conduct of the English Catholics, while the coast was threatened by the Spanish Armada.

1. On the *Spanish Armada*, (page 236), You thus address me: "The Romanists of England "you remind us, armed in defence of the country "against Philip, though his Armada was blessed "by the Pope."

You then mention that, "when the throne of "George III. was endangered by the progress of "jacobinical opinions, the gentlemen of England, "who usually opposed the measures of the mi- "nister of the day, showed as much zeal for the "defence of the country, as those who approved "from the beginning the principles upon which "the war was declared."

You then ask,—

"Would You therefore,"—still continuing Your address to me,—"infer, that the government and "the nation were not endangered by the preva- "lance of jacobinical principles, when thousands "of the people would have hailed the sanguinary "jacobins as their deliverers. So it was with the "war with Spain, in the reign of Elizabeth. The "Romanist noblemen and gentlemen would not

"see their country ravaged by the Spaniards; and "the address which they published at, that time, "is one of the most beautiful and affecting com- "positions of the age,—Yet there was still danger "in the country, when thousands would have wel- "comed the Spaniards with their thumbscrews and "instruments of torture."

—— *Magna est veritas et prævalebit!!!*

Here, You yourself admit explicitly, that the bull of Pius V. was disregarded by the Catholic nobility and the Catholic gentry!!!

But, to answer Your question,—It is most clear, that whatever might have been the danger of the country from jacobinical principles, at the time You mention, it was not to be inferred that the danger had wholly subsided, because the *nobility and gentry* had shown a good spirit. But, if the *whole body of the people of England* had shown a good spirit, and the jacobinical principles had been confined to England's continental enemies, a sanguinary and grinding legislation, which affected any one portion of the English nation would have been a monstrous cruelty, a savage injustice.

Then, to apply the case You have supposed, to the measure of Elizabeth, if a good spirit had been shown by *the nobility and gentry only*, and a *generally bad spirit had been shown by the remainder of the people*, strong laws to coerce that bad spirit would have been proper. But, in the conduct of the Catholics at the time of which we are speaking, there was no such diversity of conduct; clergy and

laity, the high and the highest, the low and the lowest, displayed the same good spirit. Loyalty pure, animated and exulting loyalty, was the spirit of ALL. Thus every historian describes it.—How was this loyalty, this pure, animated, and exulting loyalty of the Catholics rewarded? By imprisonment, confiscation, torture, hanging and ripping up alive. Between the defeat of the Armada, and the death of Elizabeth, 100 priests were hanged and embowelled.

The cruel inattention of Elizabeth to the loyal spirit which her Catholic subjects thus universally displayed, and the barbarity of her subsequent legislation in their regard, are shocking. I am not apprised of any writer but yoursolf, who has approved them.

2. You say to me, (page 234),—"*You make "a solemn appeal to Mr. Southey, in which You "compare the persecutions by Protestants to those "by the Romanists, and again leave us to infer, "that both being once equally guilty, our mutual "reproaches on this head ought to cease.*" I answer, "as solemnly as you address us:"

"*We*,"—*You* say,—"have no infallibility to "defend."

We,—*I* say,—have no infallibility, spiritual or temporal to defend, which teaches, or which is authorised to teach, either the duty or the lawfulness of persecution.

If by an impossible supposition,—the Pope and a general council should propound to us, the

doctrine of religious intolerance, as an article of faith, or the execution of it as a religious or moral duty,—we should laugh at their monstrous folly, and say, as our ancestors did to Pope Boniface, when he required Edward the First to abstain from his claim upon the Scottish crown, "We do not, "we will not, we cannot, and we ought not to "do it."*

"We,"—*You* say,—"have no principle of "persecution to resign."

We,—*I* say,—neither have nor ever had any principle of persecution to resign. We detest and disclaim every such principle absolutely, and without any qualification.

You, then say,—"Unless the decree of the "Council of Lateran, and the article of the "Council of Trent, which sanctions all former "councils, be repealed, the Protestant nation which "confers power on the Romanists, will be guilty "of a direliction of its first duty."

Then,—*I* say,—the Protestant nation of England may, in this very moment confer power upon the Romanists without any direliction of duty: the canon to which You refer,—if that canon ever existed,—is, I have demonstrated,—gone, to the grave of all the Capulets.

3. In Your last page but one, *You accuse me of sophistry and disingenuousness.*—Knowing the fallibility of poor human reason, I dare not abso-

* Historical Memoirs of the English, Irish and Scottish Catholics, Ch. VII. Vol. 1. p. 46.

lutely affirm,—that, I have never been guilty of sophistry: I believe that I have not:—If I have, all who know me, know, that it has been unintentionally. Of disingenuousness I aver myself perfectly innocent. If I felt myself guilty of it, my grey hairs would soon descend with sorrow to the grave.

XV. 7.

Conclusion.

I have now reached the close of your fifteenth letter.

In our view of the legislation of queen Elizabeth, in respect to her Roman Catholic subjects, we are completely at issue: *You* describe the general allegiance of the body of the Roman Catholics to have been unsound;—*You* think, that their allegiance being thus universally unsound, the laws which treated them *all* as great delinquents, and which required no other evidence of their delinquency, than proof of their refusal of the oath of supremacy, were founded in morality and justice:—*You* think that, generally speaking, they had fair trials:—*You* do not condemn the inflictions of the torture upon them;—and *You* approve all the other severities with which they were treated, or, at least the general system of them, as justified by necessity. *I* think that the allegiance of the body was sound, with a very small exception; that the number of those who composed this exception was in-

considerable, and of no real importance; still that it would have justified the queen in adopting strong precautionary measures; but that, she was most unjustifiable in treating the whole body of Roman Catholics as delinquents in allegiance, and in making the mere proof of a refusal of the oath of supremacy, evidence of treason; *I* also think that the trials of them were wholly irregular; the use of torture execrable; and the other severities, used in their regard, abominably cruel. In my Historical Memoirs,* I have shown the condition of the Roman Catholics under Elizabeth, and at the close of the reign of James I: I shall insert it at the end of my next letter: it will fully show what *You* approve, and *I* condemn.

In this place I shall shortly state the number of the Catholics, who were hanged and embowelled, and the condition of those who were permitted to live.

The total number of those who were hanged and embowelled amounted to 204. In this list no priest is included, who was executed for any plot, real or imaginary, except eleven, who were executed for the pretended plot at Rheims or Rome; a plot which was so daring a forgery, that even Camden, the eulogizing biographer of Elizabeth, allows the sufferers to have been political victims. Of the 204,

15 were executed for denying the queen's supremacy;
126 - - - for the exercise of priestly functions;
63 - - - for being reconciled to the Catholic faith, or assisting priests.

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* Vol. II. Ch. LII.

All this, you think, was very right; You tell us, (p. 207), "that your ancestors were men of wis-"dom, and had sufficient reason to pass their "various enactments,"—under which these unhappy sufferers were hanged and embowelled.

Leaving these to what you seem to consider their just fate, let us consider the condition of the Roman Catholics whom the laws permitted to survive.

"I say nothing," says Doctor Milner, "of "many, who were whipped, fined or stripped of "their property, to the utter ruin of their families. "In one night, fifty Catholic gentlemen in the "county of Lancaster, was suddenly seized and "and committed to prison, on account of their "non-attendance at church. About the same "time, I find an equal number of Yorkshire gen-"tlemen lying prisoners in York castle, on the "same account, most of whom perished there. "These were, every week, for a twelvemonth toge-"ther, dragged by main force, to hear the esta-"blished service performed in the same chapel."

Doctor Bridgwater, in a table published at the end of his "*Concertatio Cartholica*," gives the names of about 1,200, who had been deprived of their livings or estates, or who had been imprisoned or banished, or who were otherwise victims of prosecution for their religion, previously to the year 1538, the period when the persecution of the Catholics rose to its height; declaring, at the same time, that he was far from having named all, and

that he mentioned the names of those only who had come to his personal knowledge; many of them died in prison, and some under sentence of death.

But, what language can describe the individual misery and mental agony of the general body of the Roman Catholics during this long period of woe? "Out of every pulpit, press, or stationer's "shop," say Mr. Charles Eyston,* a spectator of it, "such invectives, slanders, infamies, untruths, "and lies, were cast upon priests as seditious, and "upon Catholics as impious and wicked, as were "without measure or remedy.—Their houses were "daily searched and rifled; their altars, chalices, "books, church stuff, beads, &c. were taken from "them and turned to common uses; the name of "Catholic was denied them; the common law "making for them was inverted and turned against "them: and, for the queen of Scots and their sakes, "the name of Rome was maliced; the Pope vilified "and liared; the Catholic emperors, kings and "princes were traduced: and the Catholics them-"selves became the trampling-stones of all pursui-"vants, informers, promoters, and other hungry, "needy and merciless people, for the covetous-"ness of their goods, for the confiscation of their "lands, and for the begging of their estates, in such "sort as was both outrageous and insatiable. To "conclude: the Catholics,—some of them from "5,000*l.* yearly, some from 2,000*l.*, and others

* Hist. Mem. Vol. II. c. XL.

"from 1,000*l.* 500*l.* 100*l.* 50*l.* more or less yearly "revenues, fell to extreme misery, could no ways "please the statists but in being miserable. Where- "upon they endured such ravenings, pillagings, and "pollings, such exiles, imprisonments, and tortures, "such enslaving of their persons, and such effu- "sion of their innocent blood, as came not short "of the Arian persecution itself: even such, as "neither eye has seen, or ear heard of in any "Christian commonwealth."

All this too, so far as it was sanctioned by the laws, or was the necessary and unavoidable consequence of them, was, You think, very right.—Our ancestors, You say, who passed these laws were men of wisdom, and had sufficient reason to pass them.

I differ from You.—I confidently assert, that no principle of justice or morality authorises one-third part, or to speak more properly, one-sixth part of a nation,—for the followers of Elizabeth's episcopalian religion, did not exceed that proportion of it,—to establish either their government or their creed by such sanguinary, degrading, impoverishing and exterminating laws, as hers.

Your accusations of us have made these statements and reflections necessary; most unwillingly have I brought them forward, or argued upon them;—but what necesssity requires, necessity excuses. Permit me to conclude my letter with the words which I have addressed to Dr. Southey, in my twelfth letter to that gentleman.

" The Reformation, and all that is connected with " it, is now established by law; and, never have a " vanquished people more completely submitted to " the conquerors, have conducted themselves with " greater propriety, or received alleviation of their " condition with greater gratitude than the Ro- " man Catholics have done. NONE of his Ma- " jesty's subjects are more attached to his govern- " ment. When we think of our past grievances, " we bless the hands which have relieved so many " of them: an angry feeling seldom rises, except " when we feel our religion traduced, and our " ancestors vilified in such a manner, that we " should deservedly be thought more or less than " men, if we did not exert ourselves to repel the " unmerited aggression."

LETTER XVI.

THE GUNPOWDER CONSPIRACY.

Mr. Townsend's Assertion of the Extensiveness of the Gunpowder Plot.

You begin Your criminations of us in this Your letter upon the reign of James I, (p. 240), by controverting my assertion in "the Historical Memoirs," of "the fair words and promises" given by James to the Roman Catholics. The evidence which I have produced of them, appears to me abundantly sufficient to satisfy any impartial person of the truth of my assertion; and, in addition to it we now have, what You have seen in the State Paper Office, the explicit testimony of the Earl of Northumberland. As to James's own denial, his acknowledged prevarications renders it of no account.

On the characters of the conspirators You tell me, (p. 257), that "I quote with approbation a "contemporary writer, who declares, that the "conspirators were 'a few wicked and desperate "wretches;'" You then show that some of them were respectably born and filled respectable situations. But this does not prove that they were not wicked or desperate; and I was so far from concealing their respectable births or situations, that

I have cited * the expression of Father More, that "they were of noble family and high rank." You dilate on the extensiveness of the conspiracy: Hume informs us,† that "with all their attendants, they "never exceeded the number of eighty persons." Doctor Southey calls them "a few bigots." ‡ James himself § speaks of the conspiracy as a "tragi-"comedy; a tragedy to the traitors, but a comedy "to the king and all his new subjects." You, I believe, are the first person who has asserted that a large portion of the Catholic body was engaged in it.

XVI. 2.

Mr. Townsend's Assertion, that the Catholics have uniformly refused, even in our own age, the security of loyalty to their Temporal Sovereign.

I must express my surprise, on reading in Your present letter, (page 244), that "the Catholics "refused, as they have uniformly done, *even in* "*our own age*, the security of loyalty to our Tem-"poral Sovereign."

Without reverting to their conduct in former times, which I have already sufficiently noticed, I beg leave to refer You to the oaths of allegiance universally taken by the English, Irish, and Scotch

* Hist. Mem. Vol. II. p. 108.

† Ch. XLVI.

‡ Vol. II. 330.

§ King James's Works. Discourse of the Powder Treason, p. 223.

Catholics, in 1778, and even since that time; and I call upon You to state explicitly, "what security "for loyalty," to use Your own words, "has been "refused by them in the present age, to their tem-"poral sovereign."—I KNOW OF NONE.

XVI. 3.

Cecil's Privity to the Conspiracy.

YOU begin this part of Your present letter, (page 247), by addressing me in the following lines:—

"In your History of the Catholics of England, "&c. You quote, with seeming approbation, various "obscure writers, who have attempted to prove "that the Gunpowder Plot was the invention of "Lord Salisbury. You candidly acknowledge, "indeed, that no single fact has been discovered, "which could lead you to this conclusion; but you "seem unwilling that the reluctant conviction "of Your own mind should influence Your "reader."

If the imputation conveyed by these lines be just, I deserve the charge of the most shameful disingenuousness.

I must be desirous of repelling it: to do this, I shall transcribe the section to which You refer, and without note or comment leave it to the judgment of my readers.*

"No circumstance, which has come to the "knowledge of the writer in the course of his

* Hist. Memoirs, Vol. II. Ch. XLVI. p. 172.

" investigation of this interesting part of his sub-
" ject, has led him to the discovery of a single
" fact, which can render Cecil justly suspected
" of having been privy to the plot, previously to a
" short time preceding its discovery. That in his
" disposition he was extremely unfavourable to the
" Catholics, and that he would rejoice in any
" any event that was likely to render them objects
" of public odium, may be conceded; but, while
" this affords ground for suspicion, it extends no
" higher; and thus, so far as it stands single,
" proves nothing.

" It is said, that some Protestant writers, as
" Osborne, Higgins, and the author of 'The Pro-
" testant's Plea,' and 'The Politician's Cate-
" chism,' accuse Cecil of fomenting the plot, and
" reaping its fruits: but not one of these writers
" mention a single fact which supports the accu-
" sation. Now where there is not evidence, there
" cannot be proof.

" It is observable, that the expression of *Os-*
" *borne* is misquoted. He is cited for having called
" called the plot 'a neat device of the secretary;'
" now he applies this expression, not to the plot
" but to the letter, which was sent to Lord Mont-
" eagle; which letter he terms 'a neat device of
" the secretary, to fetch him, into whose nature
" and person, if not to both, he had a quarrel,'"
" —*a loose intimation, and entitled to no regard.*
" *Higgins* wrote at the distance of more than a
" century after the event took place; *what he says*

" *is altogether assertion, and is therefore of no* " *weight. The writers of 'The Protestant's Plea,'* " *and 'The Politician's Catechism,'* wrote nearer " to the time; but as they support their insinua- " tions neither by fact or argument, *the testimony* " *of neither is entitled to a voice**. It has also been " said, that King James used to call the 5th of " November, the day on which the plot was dis- " covered, '*Cecil's Holyday;*' now, as Cecil's " favour, both with his master and the public, was " considerably increased by the discovery of the " plot, it may be supposed that the expression of " James referred to this circumstance, and *this is* " *a more probable construction of his words, than* " *to suppose them used to denote that Cecil was the* " *contriver of the plot.* His contrivance of it is " intimated by Lord Castlemain, in the excellent " apology which we shall transcribe in a future " part of this work. This is the more important, " as his Lordship lived near the time of the plot, " possessed more than ordinary talents and dis- " cernment, and was extremely well informed on " all subjects connected with this period of the " Catholic history. It must be added, that the " circumstance appears to have been generally

* " The last of these writers mention, that one of Cecil's " servants, two months before the event happened, advised " a Catholic friend of his, of the name of Buck, to be upon " his guard, as some great mischief was on the forge against " those of his religion: but this circumstance unaccompanied " by others is of no weight."

" believed by the Catholics of those times, and
" their immediate descendants.

" It has been generally thought, that the letter
" sent to Lord Monteagle, which led to the public
" discovery of the plot, was written by Mr. Francis
" Tresham, one of the conspirators, the author of
" 'The Politician's Catechism,' (p. 94), says, that
" 'one master Tresham, and another Catholic, who
" were thought to have been Cecil's instruments in
" all this business, having access to him even at
" midnight, were sent to the Tower, and never
" seen afterwards, lest they should tell tales;—
" and it's very certain that Percy and Catesby
" might have been taken alive, when they were
" killed: but that Cecil knew full well, that these
" two unfortunate gentlemen would have related
" the story less to his own advantage, than himself
" caused it to be published; therefore they were
" dispatched when they might have been made
" prisoners, having no other weapons, defensive
" or offensive, than their swords.' If these inti-
" mations had been accompanied by any circum-
" stances which tended to corroborate them, they
" might be entitled to attention; but *in the total*
" *absence of every thing of this kind, they deserve*
" *little regard.* Because Tresham had access at
" all hours to Cecil, it does not follow that Tres-
" ham was Cecil's instrument in a conspiracy;—
" because Tresham died suddenly in prison, it does
" not follow that he was poisoned by Cecil's
" order;—because Catesby and Percy, and their

" followers, rushed on the troops sent to take " them, with their swords in their hands, and a " determination to sell their lives as dearly as pos- " sible, it does not follow that they fell in the " conflict, it was because express directions had " been given, that they should not be taken alive,* " It may be added, that the *concurrent testimony* " *of all the conspirators declared that Catesby was* " *the author of the conspiracy, and that Percy* " *was his first associate; that from all we know* " *of the characters of the conspirators, Catesby* " *and Percy were the most unlikely to have any* " *communications with Cecil*; and that when the " first news of the conspiracy was divulged, they " fled into the country, which, if they had any " claims upon Cecil for previous communications, " it is most unlikely they would have done."

" Besides,—from some documents published " by the late Dr. Nash, in his History of Worces- " tershire,† it appears probable that the *commu-* " *nication to Lord Monteagle was made, not by* " *Tresham, as some, or by Percy, as others have* " *suspected, but by Mary, the wife of Mr. Thomas* " *Abingdon, of Henlip, in Worcestershire.* She " was a sister of Lord Monteagle; and Mr. Abing- " don, her husband, who had taken an active part " in the conspiracy, and in whose house at Henlip

* It now appears by the examination in the State Paper Office, that the sheriff sent them a regular summons to surrender; and that they answered it by a haughty defiance.

† They are inserted in the Appendix, Note 11.

" Garnett and Oldcorn were concealed, was par-
" doned at her intercession.

" It has also been observed, in confirmation of
" suspicions suggested respecting Cecil's early
" privity to the conspiracy, that he appears, from
" his own admission, to have known of it before
" the letter was sent to Lord Monteagle. This is
" certainly true; but *surely wisdom and sound policy*
" *required, that, before he made the plot public,*
" *particularly as no mischief could arise from his*
" *keeping it a secret*, he should discover all the
" actors in it, and every person who might be
" reasonably suspected, from the circumstances to
" which the event might lead, of evil design against
" the state. Had the late Cato-street conspiracy
" come sooner to the knowledge of his Majesty's
" ministers, would they, or ought they, not to
" have kept it secret until they had discovered, as
" far as possible, all the conspirators, and all their
" accomplices and connections?

" To this must be added, *the total want of*
" *of every kind of positive evidence to fix the*
" *charge upon Cecil:* we do not find the slightest
" intimation, in the examination of any person
" engaged in the conspiracy, that he or any other
" person was drawn into it by the artifices of
" Cecil."

XVI. 4.

Whether the Gunpowder Conspiracy can be justly charged on the general body of the Roman Catholics.

To prove the affirmative, you produce, (p. 249), four reasons:—I shall successively transcribe each of them in your own words, and answer it.

1.—"That the gunpowder conspiracy was justified upon the principles taught by the Roman "Catholic church."

For this, you cite the authority of the third canon of the fourth Council of Lateran. I have demonstratively shown, in my ninth letter, that this canon, if it ever existed, was not a canon of a general council; and that its authority, if it ever had any, had ceased long before the event in question.

You say:—"This decree was not considered "useless or obsolete at the period of which we are "speaking, though it would not now be absolutely "defended by any Romanist in these kingdoms, "who has received it as an article of faith."

I answer, 1st, This canon was never considered to be an article of faith in any part of Christendom. 2ndly, I admit that the doctrine upon which it proceeded had, at the period of which we are speaking, some advocates; 3dly, I assert that it was taught by the first Protestant reformers, and carried into execution in many Protestant states; and, 4thly, That no Roman Catholic in England, or in the whole world, has received, or, if it were

proposed to him, would receive the canon, as an article of faith, or even as a matter of opinion; and that, if the acceptance of it were now proposed to any Catholic, in any part of the world, by the Pope, the whole college of cardinals, all their congregations, and all their canonists, the Catholic would spurn it with scorn.

2. "These principles," you continue (page 249), "were taught in the reign of James I, by the priests "or jesuits, or instructors of the Romanists, to such "an extent, at least, if not universally, as to justify "the suspicions and jealousy of the existing "government."

I acknowledge, nearly in your own words, that the deposing doctrine was taught in the reign of James I, by several Roman Catholic priests, jesuits and instructors, to such an extent as justified the suspicions and jealousy of the existing government, and made measures of precaution necessary.

But I repeat, that the general body of the Catholics preserved their integrity; and that, although it was both wise and just to adopt measures of precaution, the sanguinary and exterminating code of legislation passed by Elizabeth, and adopted and aggravated by James, was unwise, unjust, and cannot be too severely condemned.

I must observe, that nothing is so bad, which may not be represented worse than it really is. The deposing doctrine was most reprehensible; but the limitations, with which it was propounded, took away something from its atrocity. It was

universally allowed to be applicable to extreme cases only; to those only, in which the oppression of the tyrant was enormous, and the subject was without legal or constitutional means of remedy, —and where, to use Doctor Johnson's expression, "Nature herself will arise, and assert her injured "rights." It was also required, that the Pope, or, if he were not accessible, that some grave personage should have been consulted upon it, and have pronounced it lawful. Still, even with these limitations, the doctrine was indefensible: it was held by few, and censured by the general mass of Catholic writers, in the severest and harshest terms. But, by how many Protestants has it been held? by how many practised?—Was it not held by Milton, Knox, Willcock, Goodman, and many others?* Goodman, in his book *De Vera Obedientia*, written at Geneva, says, "It is a duty "incumbent on all the people to see that idolaters" (*i. e.* Roman Catholics), "should be punished, "however great they may be, whether king, queen "or emperor. If the governors fall from God, "away with them to the gallows! (*ad furcas "abripiant*)." He adds, that "Wyat did his duty, "and that all professors of the Gospel should "have risen with him; that Mary was a monster "and a beast, who ought to be put to death. The "aforesaid book is ushered in with a preface by "Whittingham, another Protestant fugitive, after-

* See the Decree of the University of Oxford, 21 July 1683, in Somers's Tracts, Vol. III. p. 223.

" wards dean of Durham, commending it, and " testifying that it was approved by the chief " divines of the place." * Thus has the deposing doctrine been held and taught in the Protestant church.

As to the practice of it by Protestants, it is an undoubted fact, that " more sovereign princes " were deposed on the whole, or in part, of " their dominions, by their *Protestant* subjects, " during the first century after the Reformation, " than have been deposed by the *Popes*, for the " time of their first pretending to such power." † Thus, Sir, Protestant doctors have maintained the doctrine, at least, as far in theory, and assuredly much further in practice, than the Catholics. Peaceful men disturb the ashes of neither.

3. You say, (p. 254), that, " the principles upon " which the gunpowder plot was planned were " sanctioned by the superiors of the Romanists, " and by the Popes, whom they venerated." I admit that, to the extent I have mentioned, the deposing doctrine was sanctioned by several of the superiors of the Roman Catholics. But I affirm, that not a single Catholic teacher or writer did, at the time of which we are speaking, or before that time, maintain those doctrines to such an extent, or in such a manner, as would justify the gunpowder plot.

4. You say (p. 255), " That the conspiracy " must be imputed to the Romanists of that day,

* Dr. Milner's Sixth Letter to Doctor Sturges.

† Ibid.

" as a body, because it was the inference from the " principles generally taught by the Jesuits, and " intended to be carried into effect, as a religious " duty, by the members of the Romish church only. " No political evil was a subject of complaint which " might have united other classes of his Majesty's " subjects in the efforts to remove the grievances. " It was a deliberate act, to which the principal " leader, *Catesby*, was resolved by the *Jesuits*, " that it was both lawful and meritorious; and " herewith, says Lord Coke, he persuaded and " settled the rest, as any seemed to make any " doubts. They took an oath of secrecy, which " was administered by the Jesuits Gerard and " Greenway, and received the sacrament to make " that oath more solemn."

Here you bring two accusations against the Jesuits: they are both of them atrocious, and both groundless.

The first is, that " the infernal plan was " resolved by the Jesuits to be lawful and meri- " torious." I defy You to produce the slightest evidence that warrants this charge. Lord Coke, upon the trial of Father Garnet, brought this charge against them, but did not produce any evidence of it: I appeal to the account of the trial published by Government.

So far as Sir Edward Coke supported his charges by evidence, I admit them without hesitation. Nothing that rests on his own assertion, has any weight. Like You, I wish the examinations in

the State Paper office, on the gunpowder plot, were published. I have no apprehension that the cause of the Roman Catholics would suffer from the publication; but, even if I foresaw this would be the case, I should wish, as every friend to historic truth must do, that the evidence was published. I take this opportunity to observe, that all the examinations have not yet been discovered. It is clear, from *Causaubon*'s letter to the Jesuit *Fronto le Duc*, and from *Abbott's Antilogia*, that some examinations, not yet discovered, were taken.

XVI. 5.

Father Garnet.

1. You refer to the conversation between Catesby and Garnet, respecting the murder of the innocent with the guilty:—Surely justice required of You to mention, that no evidence which supports Your representation of it has been produced; and that Garnet uniformly declared, that the question, as it was put to him, and as he understood it, had no reference to Catholic concerns, and turned only on the general lawfulness of attacks in war, by which the innocent as well as the guilty were equally exposed to death.

In page 259, You address me in these terms:—"In your History, of the English Catholics, You "quote from Mr. Hume these words, "the "conspirators, with all their attendants, never ex-"ceeded the number of eighty persons;" "yet You

" have so entirely forgotten your own former " quotation, as well as the latter perusal, which " elicited your very complimentary gratitude to " the Secretary of State, that you assert, *sixteen* " *Catholics* at the most were privy to the gun- " powder plot."

I must express some surprize at Your professing to find any contradiction in these passages. Mr. Hume evidently speaks of all the conspirators and all their attendants, when they took the field in Warwickshire; I speak only of the sixteen included in the act of attainder. I must also mention, *that of these, nine, at the most, were privy to the design to blow up the building by gunpowder.*

3. You tell me, (page 260), that, " I conclude " the plot to be *improbable*, because the Romanists, " as well as the Protestant peers, would have been " its victims."

" I have never said or intimated that the plot is " improbable."

That it really existed, cannot be denied: I believe no Roman Catholic has denied its existence, or that some Roman Catholics were actively engaged in it.

5. You quote, (page 277), an expression from the Historical Memoirs, in which I say, " that " Garnet might be found guilty in a court of law, " while a court of honour would think gently of " the case," as if it referred by it to the whole of Garnet's case, and particularly to his equivocations.

If this expression stood single, it would be very reprehensible; it might be thought an approbation of all Garnet's conduct, and, particularly of his equivocations. But, in justice to me, You should have noticed, that *my* expression applied *only* to Garnet's concealment, not of the powder plot, but of the turbulent and seditious designs of some Catholics—highly blameable, it is very true, but wholly unconnected with the powder part of the conspiracy. I acknowledge, in the passage, from which You have extracted the passage in question, that Garnet's concealment of these was misprision of treason; and this, I observe, Garnet himself appears to have admitted. I then proceed to suggest some reasons, which,—still confining the concealment in the manner I have mentioned,—appear to me to extenuate it, and to render Garnet an object of compassion. As the charge which You have brought against me is so serious, I shall transcribe the whole passage which contains it: You must see, when You peruse it, that it has no reference to his knowledge of the powder plot, or to his equivocations; and that it merely attempts to show, that, in the unhappy situation in which he was placed, with the indistinct knowledge which he had of the circumstances of the case, and with the hopes which he might reasonably entertain that the whole would come to nothing, it might not be dishonourable for him to pause before he made the communication. The passage is thus expressed:—

" Garnet, however, had received *other communications*. We have seen how great his apprehensions were, that some among the Catholics, would, in opposition both to their religion and their true interest, have recourse to violent measures, and how anxiously and earnestly he strove to prevent them. Here the question arises,—whether it was his duty to communicate to Government *these* apprehensions and their causes? Upon this, Garnet would naturally pause: it is repugnant to the feelings of every honourable man to turn informer. Perhaps Garnet did not know any thing specific, or any thing that he could demonstrate by regular proof; but he knew the hostile spirit of the ministers to the Catholics: this, he must fear, would lead them to proceedings of extravagant and undistinguishing cruelty; and he believed also, or at least strongly hoped, that his paternal and salutary councils had withdrawn these turbulent spirits from the precipice to which they were rushing. Add to this, that *the communications of which we are now speaking*, had informed Garnet rather of the existence of a general angry mind among some of the Catholics, in consequence of the very unexpected treatment which they received from James, immediately after his accession to the throne, than of a settled or organized plan of aggression. Now, this spirit of general and indistinct turbulence *commonly* evaporates in its own blusterings, and

" produces nothing serious. Viewing the situation " of Garnet in this light, every candid person " will make great allowances for the line of con- " duct which he pursued, and hesitate before he " condemns him: he might be justly found guilty " by a court of law, while a court of honour " would think gently of his case. He appears to " the writer, to have pronounced a just sentence " on himself, when, after intimating his own doubt, " whether his conduct had been quite blameless, " in not revealing *the communications of which " we are now speaking*, he asked pardon of his " sovereign for concealing whatever it had been " his duty to reveal."

You now have the whole passage before You: How different is the import of the whole from that of the solitary sentence which You have transcribed? what sentiments does it contain, that a gentleman might not honourably express? I must add, that both editions of my "Book of the Roman Catholic " Church," were published before the appearance of the last volume of Doctor Lingard's history; and that the Doctor mentions in it, from manuscripts in his possession, some circumstances unfavourable to Garnet, which, until his publication of them, were unknown:—a strong proof of Doctor Lingard's historical candour and truth.

6. Speaking of Garnet's equivocations, You tell me in page 277, "that no expression of indig- " nation, no phrase of contempt for Garnet's doc- " trine of equivocation, escapes me."

Do I not in my Historical Memoirs,* call the doctrine of equivocation, "odious and pernicious?" Do I not say, that "it saps the foundations of "honourable intercourse in society, and fair deal-"ing between man and man?" Do I not cite Mr. Alban Butler, and Bossuet's condemnation of it.

After all,—what does Garnet's guilt, in respect to all his equivocations amount to? It is, that being interrogated in the view of the rack and the gibbet, upon questions to which he could not give direct answers without criminating himself, *and which could not therefore be justly or even honourably required*, he had recourse to equivocation! Does he upon this account deserve the most opprobrious expressions in the English language? Is he not rather an object of compassion. If You compare his conduct with that of Cranmer, in the last six days of his life; with the letters of the supreme head of your church to secretary Davison, Sir Amyas Paulet, or King James, respecting the unfortunate Mary, or with the answers of the Bishops to Charles I. when he consulted them on Lord Strafford's case,—will Garnet suffer by the comparison?—but I repeat once more, I do not acquit,—I do not justify Garnet; I only commiserate him.

7. In page 148,—You say to me,—"That, after "I had perused in the original papers, the full "confirmation of the most atrocious circumstances

* Vol. II. p. 169.

" of the conspiracy, I should still affirm that the " result of my researches had been favourable to " the Catholic cause, has excited in many the most " painful impressions."

Why my expression should excite pain in any person, I am utterly at a loss to conceive. Surely, when so respectable a portion of the nation, as his Majesty's Roman Catholic subjects, are criminated, it must give pleasure to every honourable mind, to see them wholly, or even partially vindicated.

You deny that the recent searches at the State Paper office have been favourable to them.—1. Is it not favourable to them, that these searches have produced the declaration of the Earl of Northumberland, that James had commissioned him to make promises to the Catholics, if they would not oppose his succession?*

2. Is it not favourable to them, that these searches have led to the discovery of nothing which justifies the oft told, oft refuted, and now revived tale, that the general body of the Catholics, were implicated in the conspiracy? or which shows, that a single Catholic, except those whose guilt is upon record, was concerned in it?

3. Is it not favourable to them, that the charge

* Interrogatories, of the 23d of November.—The very letter of James to the Earl, in which these promises were made, has been published by Miss Aikin, in her court of James I. p. 253. James's denial of these and others deserve no credit. " There " are too many instances," as Dr. Lingard justly observes, (Hist. Vol. VI. p. 33, note 41), " in which he has denied his " own words."

of the Jesuits having administered an oath of secrecy to the conspirators, and also administered to them the sacrament to add solemnity to their oaths, is now proved, by the testimony of Winter and Fawkes, to be absolutely false.

Winter says, that "the five,"—Catesby, Piercy, Winter, Fawkes, and one of the Wrights,—"administered the oath to each other in a chamber, in "which no other body was, and then went to another room to receive the sacrament."* Fawkes says, that "the five did meet at an house in the "fields beyond St. Clements Inn, where they did "confer and agree upon the plot, and there they "took a solemn oath and vow, by all their force "and power to execute the same, and of secrecy "not to reveal any of their fellows, but to such as "should be thought fit persons to enter into that "action; and in the same hour, they did receive "the sacrament in the house of Gerard the Jesuit, "to perform their vow of secrecy aforesaid. *But "that Gerard was not acquainted of their purpose.*"† The whole of this deposition was read at the trial, with the exclusion of the passage exculpating Gerard. In the original, a line is drawn before the exculpatory sentence, with the words *huc usque* in the hand-writing of Sir Edward Coke: "who," as Doctor Lingard ‡ justly observes,

* Winter's Confession, p. 50.

† Fifth declaration of Fawkes, taken November 9; confirmed by him, November 10.

‡ Vol. VI. Ch. 1, p. 34.

" was unwilling to publish to the world a passage, " which might serve to the justification of one, " whom he meant to accuse."

Is it not favourable to the Catholics, that this great unfairness in the legal proceedings against them has been discovered?

But what avails testimony *in favour* of Catholics? —Having seen both the testimony of Winter and the testimony of Guy Fawkes, You repeat the charge.

9. Did not justice require of You to mention, that as soon as the conspiracy became known, the Catholics universally expressed their horror at it? That Blackwell, the Catholic arch-priest, and the other heads of the English Catholic Church, immediately circulated a pastoral letter, in which they called it " detestable and damnable," and assured the Catholics, that " the Pope had always con- " demned such unlawful practices?" That the Catholics presented an address to the king; another to both houses of parliament; a third to Cecil, the secretary; declaring in each their abhorrence of the plot, asserting their innocence, and urging inquiry; that the arch-priest received a brief from the Pope reprobating the plot, and published it.* All this is mentioned in my Historical Memoirs, and in my sixteenth letter to Dr. Southey; yet You conceal it all. Dodd also mentions,—but this,

* Hist. Mem. Vol. ii. p. 182; and see Collier, p. 670, on the Oath of Allegiance, 8vo. 1608.

perhaps, You did not know,—that "Pope Paul V. "addressed a letter to James, in which he ex- "pressed the strongest condemnation of the gun- "powder conspiracy." Did not Father Persons,* who wrote at the time, apply to it the harshest terms of condemnation? Did not Dr. Challoner,† the oracle, in his time, of the English Catholics, call it a detestable conspiracy? Does not Dr. Milner‡ tell Dr. Sturges, that it is impossible for the doctor to detest it more than he does? Whatever You knew of these facts, surely justice called on You to mention; Finally,—Did not every feeling of honour require You to mention, that a single instance cannot be produced, in which a Roman Catholic has attempted to defend it; or in which, if he has mentioned it, he has not spoken of it with execration? You yourself know that it is condemned, abominated and abhorred by Catholics as much as Protestants:—all this You know; but nothing of it You mention. No ignorant person will rise from the perusal of this part of Your work, without believing, that the principles which induced the gunpowder conspirators to engage in their diabolical designs, have been for centuries, and are at this time, the actual principles of the Catholic religion, and would lead the present Catholics, if not repressed by the hand of power, into similar enormities.

* Judgment of an Englishman, &c. &c. &c.

† Memoirs of Missionary Priests, Vol. II. p. 446.

‡ Letters to a Prebendary, Letter IV.

Is this to be endured? Is it to be borne, that the Roman Catholics, who possess some of the noblest blood in the country, who fill every condition of life with honour and integrity, to whose loyalty, the late and the present king, and the legislature, have paid the amplest tribute of praise, and whose affection it is so much the interest and the wish of Government to conciliate, should be thus maligned?

XVI. 6.

Examples of similar Attempts of Protestants against Catholic Princes.

Permit me to transcribe, from Doctor Milner's seventh letter, what he says upon the subject to which I now call your attention.

"I have one more observation to make on this "subject. You, no less than the writers whom "whom you quote, exhaust your eloquence in re- "presenting the crime of those wretched dupes "of Cecil's villainy,* as a wickedness *unex-* "*ampled*, as well as unequalled in history.† It "is impossible, Sir, for you to detest it more than "I do; but when you speak of it, as a *new* and "*unheard of* species of guilt, you pay a compli- "ment to the inventive genius of its contriver,

* In the preceding section of this letter, I have absolutely acquitted Cecil from the charge of being the contriver of the plot, and have stated my reason for it at length.

"† P. 81.

" whether that were Cecil or Catesby, to which " he is really not entitled. For, Sir, did you " never hear of the preceding conspiracy of the " Protestants in the Netherlands, to blow up the " Prince of Parma, governor of these countries, " with all the nobility and magistrates belonging " to them, at a solemn procession, in the city of " Antwerp?* If you have not heard of this, " you cannot at least be ignorant, that a *Catholic* " king of Scotland, the father of the very sove- " reign against whom the treason in question was " devised, king Henry Darnley, was *actually* " *blown up*, and destroyed, with all his servants " and attendants, by means of a mine stored " with gunpowder, as he lay sick at his house of " Kirk-a-field; and that the *Protestant* Earls of " Murray, Morton, Bothwell, Lethington, Sir " Archibald Douglas, Sir James Balfour, &c. " were the contrivers and perpetrators of this " villainy, not without the privity and consent " Lord Burghley, the Earl of Salisbury's father, " and of Elizabeth herself.† The chief difference " between this original and too successful gun-

" * Michael ab Isselt. de Bell. Belg.

" † Whittaker's Vindication, Vol. III. p. 255.—This author, " with his usual candour and zeal for truth, admits that the " Gunpowder Plot in England was the imitation and offspring " of that in Scotland; and he applies to them these lines of " Virgil,

" *Crudelis muter magis, an puer improbus ille?*
" *Improbus ille puer, crudelis tu quoque mater.*"

"powder plot in Scotland, and its bungling imi-
"tation here in England, is, that the Protestants
"who devised and executed the former, were the
"heads and founders of the Reformation in that
"country; whereas the Catholics who were con-
"cerned in the latter, *were the disgrace* and out-
"cast of their religion in this. Having exhibited
"this enlarged and faithful view of the powder
"plot, I may be permitted to ask, where is the
"charity, nay, where is the justice, of those acri-
"monious sermons and services, * and of those
"tumultuous rejoicings, which have been an-
"nually made and directed against the Catholic
"body on that account for above two hundred
"years? It is undoubtedly proper to return

* "In the first collect of the service for the 5th November,
"the Almighty is thanked for the deliverance of King
"James I. &c. from *Popish treachery*, thereby transferring
"the crime of thirteen self-convicted wretches to the whole
"church of which they were the disgrace. In the last prayer,
"the Catholics are indiscriminately called *cruel and blood-*
"*thirsty enemies*. I once had occasion to hear one of these
"annual phillippics against Catholics from the pulpit in
"Winchester cathedral. Having afterwards complained of the
"calumnies and misrepresentations contained in it, a worthy
"literary character (Dr. Wharton) expressed his surprize
"that I should be dissatisfied with the discourse, saying
"*that it was a very good fifth of November sermon*. My
"answer was: so then I find that the Catholics, like Shrove-
"tide poultry, are once a year fair game for every one who
"chooses to pelt at; and I am left to understand, that what
"is *false* every other day in the year, is *true* on the fifth of
"November."

" thanks to the Almighty for all public blessings; but there have been other deliverances " no less important, and still more extraordinary " than this, for which no festivals or rejoicings " have been instituted, or which after being instituted, have fallen into disuse and oblivion.* " The Catholics, who are so commonly charged " with uncharitableness, had no festivals abroad to " commemorate the discovery of the *conspiracies* " *of Amboise and Meaux*, nor do those at home, " meet, either at church or board, on the day " when their grand enemy, Shaftesbury, fell into " the disgrace and punishment which he had prepared for them. They have already forgotten, " that it was on the 9th of June, in the year 1780, " when 100,000 Protestant rioters, who were up " in arms to exterminate them, and who began " to anticipate the horrors of Jacobinism in this " country, were beyond expectation, and almost " beyond hope, suppressed, and when they themselves, and their country, were thus saved. " To speak the truth, Sir, your candour on this,

* " The fifth of August was appointed a day of thanksgiving " for James's deliverance from the Gowry conspiracy; on " which occasion, if we believe the King himself, he was in " much greater danger of being assassinated by the Protestant " Earl of that name and his brother, and afterwards of being " blown up, with all his attendants, *by another Protestant* " *gunpowder plot*, on the part of the burghers of Perth, than ever " he was from that concerted five years afterwards by Catesby " and his associates. See Collier Ch. Hist. vol. II. pp. 663, " 664."

"as on some other occasions, breaks through the "cloud of your religious and party zeal. You "accordingly express a wish, that the commemoration of the powder plot were abolished, as "tending to perpetuate ancient animosity;' and "you argue very justly on the inconsistency of "tolerating the Catholics as friends, and treating them as enemies.'"

XVI. 7.

The Oath of Allegiance required from the English Catholics by James I.

After considering, with great attention, what I have written on this subject in my Historical Memoirs, and in my sixteenth letter to Doctor Southey, I find nothing inaccurate in either: Your account of the oath, and of the conduct of the Catholics in respect to it, contains several inaccuracies; some I shall take the liberty to mention.

1.—In page 282, You say, that "the oath "disclaimed the Pope's deposing power absolutely, "and without any qualification."

Had it rested upon this disclaimer, very few Catholics would have objected to it; but it applied to this doctrine the epithets of "heretical," and "damnable." To swear that it was heretical, before the church had formally declared that it contained heresy, was objected to by many:—and what is the meaning of the word "damnable?"

Thus the case stood,—it was not to the doctrine, but to the epithets affixed to it, that the objections were raised.

2.—You say, (page 287), that "the second pro-"hibitory bull of the Pope was obeyed:" This is a mistake; the oath continued, notwithstanding this bull, to be taken by the great majority, both of the Catholic clergy and the Catholic laity.

In the same page, You say, "that the same "kind of oath is still required, and that objections "of the same nature are still urged."

This passage contains more mistakes than lines.

1.—The oaths prescribed by the acts of his late Majesty, are not of the same kind as that prescribed by James: they contain unequivocal disclaimers of the deposing doctrine; but they contain none of the objectionable epithets applied to it in James's oath.

2.—No objection to any of these oaths was ever made by a single Catholic.

3.—There is no division upon these oaths among the Roman Catholics.

4.—They are taken universally, cheerfully, and without the slightest reluctance, by all Catholics who are required or expected to take them.

From these mistaken premises, You draw the most groundless conclusions, and express them in the strongest language.

XVI. 8.

General View of the Laws passed against the Catholics, in the Reigns of Elizabeth and James.

The laws which were passed by the last monarch of the house of Tudor, and the first of the house of Stuart, against the English Catholic subjects, for their religious principles, and the exercise of their religion, were irreconcileable with every principle of justice and humanity:—I shall now present the reader with a succinct view of their general effect and operation.

1.—From the planting of Christianity in our island, till the infant reign of Edward the Sixth, *the mass* was the solemn service at which the Catholics of England, as their brethren throughout the world, assembled, to express their adoration of the Deity, to commemorate the death and passion of his Son, to thank him for his blessings, and to implore his protection and favour on themselves and their neighbours. It was restored by queen Mary. "We," it is said in the statute which passed for that purpose, "found it in the "Church of England, left to us by the authority "of the church." It was proscribed, and another service substituted in its stead, by Elizabeth; and by a law passed in her reign, a priest who should say or sing mass, was to forfeit two hundred marks, and suffer imprisonment for one twelvemonth; and the hearer was to forfeit one hundred marks, and to be imprisoned for six months.

2.—A person who refused to assist at the church service, devised in the reign of Edward the Sixth, and established by the Act of Uniformity, which, whatever might be its merit, was certainly (as it is termed in the statute of queen Mary) "a new thing," was denominated in the law a *recusant*; he was to forfeit twelve pence (three shillings in the present value of money) for each Sunday's absence; was to be presented by the churchwarden to the ecclesiastical court, and there excommunicated; the excommunication was to be certified into Chancery; the writ *de excommunicato capiendo* was to be issued against him: this authorized the sheriff to break open his house, to attach and imprison him, or to present him at the next assizes; an indictment was then to be framed, to which no plea, but the general issue, or conformity, was to be admitted.

If the indictment was found by the jury, a proclamation was to be made, that the recusant should surrender himself to the sheriff; if he did not appear, or confess the indictment, or if the jury found it against him, he was denominated a recusant convict; his conviction was to be certified into the exchequer; if he had not paid the forfeitures which he had incurred, process was to be awarded for levying them from his lands, goods, and chattels.

3.—Having thus become a *recusant convict*, he was immediately to pay down the sum of 20 *l.* (60 *l.* in the present value of money), and from

this time, was to pay 20*l.* (60*s.* in the present value of money), a month, and be bound with sufficient sureties for his good behaviour; if he could not pay it, he was to forfeit all his goods, and during his recusancy, two parts of his lands; if afterwards the profits of the two parts of his lands exceeded the 20*l.* (or 60*l.* in the present value of money), monthly, the king was to choose which he would have, the 20*l.* or 60*l.* of our money, or the two parts. *

* In the reign of James, a circumstance of great aggravation attended the penalties of recusancy: "James was surrounded "by numbers of his indigent countrymen. Their habits were "expensive, their wants many, and their importunities in- "cessant. To satisfy the more clamourous, a new expedient "was devised. The king transferred to them his claims on "some of the more opulent recusants, against whom they were "at liberty to proceed by law in his name, unless the sufferers "should submit to compound by the grant of an annuity for "life, or the immediate payment of a considerable sum. This "was at a time when the jealousies between the two nations "had reached a height of which at the present day we have "but little conception. Had the money been carried to the "royal coffers, the recusants would have sufficient reason to "complain: but that Englishmen should be placed by their "king at the mercy of foreigners; that they should be stripped "of their property to support the extravagance of his Scottish "minions; this added indignity to injustice, exacerbated their "already wounded feelings, and goaded the most moderate "almost to desperation."—Lingard's Hist. vol. VI. ch. 1. p. 29. 4to ed.

"The lay Catholics continued liable to the fines of recu- "sancy, for which the king, according to his own account, re- "ceived a net income of 36,000 *l.* per annum. But the "statute of 1606 severely aggravated their sufferings. They

4.—These penalties were accompanied by a long train of *disabilities*. The popish recusant convict was to make no presentation or collation to any advowson, prebend or hospital, either of the gift or foundation of himself or his ancestors; he was not to be an executor, administrator or guardian; nor practise in the common law, the civil law, the canon law, or physic; he was not to be a judge, steward, or minister of courts, or a schoolmaster; or hold any office of public charge, or any office of arms in a ship, a castle, or fortress; his armour was to be taken from him, yet he was to be chargeable as his majesty's other subjects, with finding the usual quota of armour. He was to be confined within five miles of his dwelling; and if without special license, he passed those bounds, he was to forfeit

" were repeatedly summoned to take the new and disputed " oath of allegiance; non-attendance was visited with ex- " communication, and the civil consequences of that eccle- " siastical sentence: and the refusal of the oath subjected them " to perpetual imprisonment, and the penalties of a præmunire. " When the king, in 1616, preparatory to the Spanish match, " granted liberty to the Catholics confined under the penal " laws, 4,000 prisoners obtained their discharge.' Such at " least was the number, according to the Puritan writers, whose " zeal most bitterly laments that so many idolaters should " be let loose to pollute a soil purified by the true doctrines of " the Gospel. Another grievance arose from the illegal extor- " tions of the pursuivants. Armed with warrants from the " magistrates or under-sheriff, they selected a particular dis- " trict, and visited every Catholic family under the pretext of " enforcing the law. From the poor they generally exacted " the sacrifice of their furniture or their cattle: to the more

all his goods, and all his copyhold lands might be seized; he was not to come into the court of the king or prince, or into the city of London, if he had any dwelling elsewhere, under the penalty of 100*l.* (300*l.* in the present value of money). Finally, he was to be considered as excommunicated in all personal actions, and therefore (which is a necessary consequence of excommunication), he could not either maintain or defend a personal action or suit.

5.—The offence of the popish recusant convict was dreadfully visited on *his wife*.

If they married according to the Catholic rite, he was to forfeit 100*l.* (300*l.* in the present value of money), if she were convicted of recusancy.

"wealthy they repeatedly sold their forbearance for large "sums of money. Experience proved that it was most "prudent to submit; the very show of resistance generally "provoked a forced search, in which plate, jewels, and the "most valuable effects were carried off as superstitious articles "and the owner was conducted to prison, unless he would "redeem himself by the payment of a large bribe. These "excesses attracted the notice of Parliament: a promise of "redress was given, and a royal proclamation proved, but did "not abolish the evil."— Lingard's History, Vol. VI. chap. iii. page 155, 4to ed.

James's occasional fits of clemency were as disastrous to the Catholics as his severities. He sometimes suspended the exactions of the fines for recusancy, but he afterwards exacted them for the whole period of the suspension. This demand, by crowding several payments into one, reduced many families of moderate incomes to a state of absolute beggary.

forfeited 10 *l.* (30 *l.* in the present value of money), monthly, for her, or one-third part out of his own remaining third part of his property; if she survived, she was disabled to be his executrix or administratrix; she was to forfeit two parts of her jointure, or two of her dower; she might, during the marriage, be taken from her husband by a justice of peace, and confined in her house. Though the husband conformed, he was to pay 10 *l.* (30 *l.* in the present value of money), monthly, for his recusant wife, and was disabled during her recusancy from holding any public office in the community.

If she was convicted of being a popish recusant, then if she was a baroness she might be committed to prison by one of the privy council, or the bishop of the diocese; and if she were under that rank, she might be committed to prison by two justices of the peace, and remain there till she conformed, unless her husband should pay to the king 10 *l.* a month, (or 30 *l.* in the present value of money), or the third part of her lands, so long as she continued a recusant, and out of prison.

6. The same persecuting spirit appears in the legislative provision respecting his *children.*

If he christened them after the Catholic rite, he forfeited 100 *l.* (300 *l.* in the present value of money). At nine years of age his children might be presented, and at sixteen indicted for recusancy; at sixteen, the oath of supremacy might be ten-

dered to them. If, to educate his children at home, he kept a schoolmaster, he forfeited, for every day, 40*s.* (6*l.* in the present value of money); if he sent them abroad, he forfeited 100*l.* (300*l.* in the present value of money), and the child was disabled from taking lands by descent or purchase until he conformed.

7. The same spirit extended also to his *friends and servants:* if he harboured, maintained, or relieved any recusant servant, sojourner or stranger, his father and mother excepted, he forfeited, for every month, 10*l.* (30*l.* in the present value of money).

This act had a dreadful operation. Many "serviceable men and women," says a contemporary writer now before me, "became, in consequence "of it, absolutely destitute of succour, and were "obliged, in order to obtain employment and food, "to travel beyond the five miles within which the "law confined them, under the severe penalties "which have been mentioned. If they had not "the means of paying the forfeitures thus incurred, "the law enjoined them to abjure the realm; if "they refused, or if, having abjured it, they re-"turned afterwards to it without license, they were "to be adjudged felons."

8. The recusants also were liable to all the severities of the *ecclesiastical courts.* They might be summoned by the ecclesiastical judges at their

pleasure; if they attended, they might be fined at discretion; if they did not attend, they were excommunicated. Attending or not, warrants were generally sent to search and seize their religious books, chalices, and every article which served for use or ornament in their religious worship: the search was generally made with unfeeling contumely.

9. By several acts, some of which were a pleasing, some a necessary attention to his religion, a Catholic was subject to a *præmunire:* as, 1. The receipt of an agnus dei, a crucifix, beads, or pious medal. 2. Aiding, abetting, taking or giving absolution by a bull from the Pope: 3. Concealing an offer made to him of such a bull: 4. Sending relief to priests beyond seas: 5. Maintaining the Pope's jurisdiction; and, 6. The first refusal of the oath of supremacy.

10. By three acts, the Catholics incurred the penalties of *felony*: 1. Receiving a priest; 2. Returning from banishment; 3. Departing from the realm without taking the oath of allegiance.

11. For the oppression of the Catholics, five new *treasons* were invented: 1. The second refusal of the oath of supremacy; 2. Maintaining, a second time, the Pope's spiritual authority or jurisdiction; 3. Giving or receiving absolution from the see of Rome; 4. Reconciliation or persuasion to the Ca-

tholic religion; 5. Receiving holy orders beyond the seas.

12. Finally, the law pursued them even to *the grave:* if a recusant convict, man or woman, not being excommunicated, was buried in any other place than in the church, the executors of the person so buried, were to forfeit 20 *l.* or 60 *l.* of the present value of money.

13. It should be observed, that the Catholics were subject in the same manner as the Protestant dissenters, to the proceedings of the high commission: how oppressive these were, and how severely the Protestant dissenters suffered under them, is shown in my Historical Memoirs; but as the Catholics were much more odious to the sovereign and the ministers than the Protestants, there is great reason to believe that they suffered much more severely under them. *

14. Add to this,—that even when the laws which have been mentioned were not acted upon, they had a silent, but most bitter operation; they tended to make every Catholic an object of odium, to lessen his few remaining comforts, and to abridge his few remaining rights. When they were with-

* See "Burn's Ecclesiastical Law," title "Popery;" and the Acts of 1 El. c. 1. 5 El. c. 1. 13 El. c. 2. 23 El. c. 1. 27 El. c. 2. 29 El. c. 6. 35 El. c. 1. 2. 1 Ja. c. 4. 3 Ja. c. 4. 5. 7 Ja. c. 6.

held or contested, if the Catholic complained or resisted, or resorted to law, he was often reminded that he might be proceeded against for recusancy.

I conclude the statements in my Historical Memoirs of the sufferings of the English Roman Catholics, under the penal codes of Elizabeth and James, with an authentic account, taken from Dodd's Church History, of the sufferings of one Roman Catholic family under them. If there is a person who can read it indifferent and unmoved, I envy not that person his feelings.

What a dreadful scene do these codes exhibit! In what an agony of mind must the general body of Catholics have existed during this period. In less than a century, they reduced to the most abject and miserable poverty, the whole Catholic body, with the exception of a few families whose estates were large enough to bear, without exhaustion, this incessant ravin of them!

LETTER XVII.

CHARLES I.

1. YOU say, (page 290), that "You do not de-
"fend the cruel and savage executions of the unfor-
"tunate men who were condemned to death for a
"religion which was thus considered treason." But, You not only do not condemn,—You repeatedly eulogise the laws written in blood, which made it treason. You mention "the deep-rooted prejudices "and hatred of the people to the members of my "communion," but You say nothing of the vile arts by which these prejudices and this hatred had been raised.

2. You admit, that "the Catholics," in their conduct to Charles I. "were brave and loyal;" but You allow them no merit for their loyalty. You even say, (p. 291), "Their bodies were the "servants of the prince; their consciences were "still obedient to the Pope, who had not directed "them to forsake the standard of their sove-"reign"!!! When You wrote this, did You not recollect that the Pope had directed, and even ordered all the Catholics to forsake the standard of Elizabeth, yet that all the Catholics still adhered to it? After this, You remark, (page 292),

that "the loyalty of the Romanists was not conspicuous in behalf of the Brunswick dynasty, "either in 1715 or 1745." If You have read the act passed against the Roman Catholics in the first year of George I,* You must allow, that an exuberance of loyalty could not be expected from them. If You examine the number of his Majesty's subjects who were engaged in the rebellions of 1715 and 1745, You will find the proportion of the Roman Catholics engaged in them so small, as to render the general loyalty of the body unimpeachable. You should have mentioned, that, when, in the reign of the third monarch of the house of Brunswick, all his Protestant colonies in America revolted against him, his only Catholic colony preserved her allegiance inviolate.

I believe You are the only writer who has denied the merit of loyalty to the conduct of the Roman Catholics, while England was threatened by the Spanish armada, or during the grand rebellion.

* Geo. I. Sect. 2. Chap. 13.

LETTER XVIII.

CHARLES II.—JAMES II.

1. YOU defend, (page 293), the breach of faith of Charles II. on his Restoration. You describe it as a *failure of faith to his Catholic subjects only*, and justify it by "the national dislike of them at "this period."

In this representation of the transaction there is great inaccuracy:—1st. Charles plighted his faith not to the Roman Catholics only; he plighted it also to the Protestant Dissenters: 2d. In regard to these, the national dislike of Catholics could have no concern: 3d. But the national dislike of Catholics or Puritans had no existence at the time of which we are speaking.

In the first years of the monarch's reign, all was good humour and brotherly love between the Church of England and the Roman Catholics.

The adversaries of the Catholics, and the party who strove to render Charles II. unpopular, excited the national hatred of them by degrees: it was consummated by wickedly imputing to them the fire of London. This, You do not mention; but surely, when You describe in such strong terms the hatred which You say the nation bore to the Catholics, justice required of You to mention how

much of this hatred was owing to the calumnies propagated against them? to the Tall Bully?

2. You notice, (page 294), my comparison of the breach of the promises made by Charles II. at the Revolution, to the breach of the promises made by Mr. Pitt at the Union. We are grateful to Mr. Pitt for his exertions to redeem his promise; we respect the conscientious feelings of Geo. III. which withheld his sanction of them; but no such royal feelings now existing, we think ourselves entitled to the performance of the promise: national honour and sound policy equally require it.

3. In your eulogy of Doctor Southey, (p. 295), You represent *me* as having *challenged him* and begun the controversy. By his "Book of the "Church," he threw out the challenge: I took it up,—I can truly say much against my will.—I trust he has found in me a fair and an honourable adversary. I respect him, but I fear him not.

4. You barely mention the *Corporation Act*: I shall only say, that it is hard upon the Catholics to suffer by an act, which, by the confession, I believe of all, was not designed to operate against them.

5. You say little on the *Test Act*: So far as respects its real purpose,—securing the Protestant succession to the throne,—we have no objection to it: we have sworn to support that succession, and

though You assert the contrary, our oaths may be depended upon.

6. You proceed, (page 296 and 297), to mention and express Your high approbation of *the act which excludes Roman Catholics from the senate.* In my letter to Dr. Southey, I have observed, at some length, upon this act. I avail myself of this opportunity to offer the following observation upon it.

"*The all accomplished St. John,*" as Mr. Pope calls that distinguished infidel, John Viscount Bolingbroke, had forsworn his allegiance to his sovereign; had conspired to dethrone the house of Hanover; had invited the French into this country; had planned the subversion of its government; had, in short, become a traitor, with every kind of aggravation of which treason is susceptible.

Now, in what manner was this traitor to his God, his king, and his country, punished?

This traitor to his God, his king, and his country, was punished by a less severe punishment than that, by which the Duke of Norfolk, the Earl of Shrewsbury, and the other Catholic peers now suffer; and under which You wish them to suffer till the end of time. The traitor was permitted to live; to hold his titles and possessions, and to transmit them to his children; he was only excluded from sitting and voting in parliament. But this exclusion was made personal to himself, and was not to operate on his children. Now this very exclu-

sion, which the legislature thought an adequate punishment for the crimes of this infidel, this recreant, this traitor, but which it did not inflict on his successors in the peerage, as it does on the Catholics, successors of Catholic peers:—This exclusion, this very exclusion, is the actual doom of the noble, the honourable, and the honoured Catholic peers of this realm;—men never mentioned without reverence and regard; is inflicted on all their Catholic successors, and cheered by You.

7.—You tell me, (page 297), that "I vehe-
" mently object to the epithets, 'idolatrous and
" 'superstitious,' which the oath applies to tran-
" substantiation and the invocation of the saints,
" and that I attempt to prove that no Protestant
" is justified in making this assertion."

In my eighteenth letter to Dr. Southey, I suggest that the immense number of Christians who believe in transubstantiation; the large proportion of Protestants, who believe in consubstantism; and the opinions of many distinguished Protestants, who, without believing in either, think there is idolatry in neither,—showed that the alledged idolatry of the belief in transubstantiation, was problematical. I then proceed to observe, that "the sacredness
" of an oath, which never should be taken, if that
" which is sworn to admit of reasonable doubt;"
that "good sense, which is shocked by the lan-
" guage of the declaration;" that "the terms of

" amity which subsist between the United Kingdom
" and many Catholic states, and which render the
" declaration an uncivil state paper; the littleness
" of wounding unnecessarily the feelings of that
" proportion of the community which is Catholic,
" *(for a Protestant is not more hurt at a Turk's*
" *calling him a Christian dog, than a Catholic is*
" *at calling him an Idolater)*;—the impolicy of
" keeping any thing in existence, which unneces-
" sarily insults and irritates;—the acknowledged
" wisdom and expediency of every legislature and
" ministerial measure which promotes a reciprocity
" of good-will and conciliation, and above all THE
" MERITS,—I confidently said, and say,—THE
" MERITS OF THE CATHOLICS, seem to point out
" the necessity of repealing the objectionable and
" inofficious declaration."

Upon these suggestions, You express yourself, (page 297), in the following terms:—

8.—" With respect to transubstantiation,—We
" have no other words to express our opinion of
" him, who kneels down to a thin bread-cake, after
" the priest has blessed it, believing that the pal-
" pable substance is the very and material blood
" and bones of him who is in heaven. If we had
" more expressive terms than these, we would use
" them to describe our opinion of him 'who taketh
" flour, and with part thereof he maketh bread,
he eateth, and is satisfied; with part thereof
e maketh a God; he falleth down, yea, he

" worshippeth it.' What shall we say? We may " not assert that all this is idolatrous and super- " stitious. O! no! we must repel the thought, " as blasphemy! Kneel on then, and cry aloud, " for it is a God; for the flour was good—and " the water was good—and the priest was rightly " ordained—and the worshipper believeth not his " senses—nor his understanding—nor his reason, " nor the Scripture."

The language in which You express yourself in this passage,—I leave to the taste, the feeling and reflection of every gentleman in the world.

I wished to say nothing further upon it: but I feel it call on me to declare, that it is a great misrepresentation of the Roman Catholic doctrine of transubstantiation. The Roman Catholic church does not believe that "the priest maketh a God:" she believes it to be heresy, to be folly, to be impiety to say this. She believeth, that, when the priest pronounces the words of consecration, God, by his omnipotence, works the mysterious change.

Roman Catholics " do not fall down before the " bread; do not worship it." They fall down before Jesus Christ, whom they believe to be present under the form and the appearance of the bread: Him, alone, they worship.

Your representation of our doctrine contains other inaccuracies.

9.—You then, (p 298), mention *Oates's plot*, but without a single word of condemnation of

actors in it: You coolly tell us, that, "if the gun-
" powder plot had not been planned, Oates's plot
" would never have been believed."—This shows the enormous guilt of those, who, without any evidence, fabricated the calumny that the gunpowder plot was planned by the Roman Catholics. In this enormous guilt, all participate who perpetuate this slander of them.

Even,—if the gunpowder plot had been planned in the very manner asserted by these calumniators, it would not have justified the legal murders perpetrated during the period of Oates's plot. But the gunpowder plot was not so planned: the body of the Roman Catholics had no concern in it: they reprobated it at the time, they reprobate now, as much as Protestants.

10.—We reach, (page 298), *the reign of James II*:—It contains your last charge,—and last misrepresentation.

" What credit," You exclaim, " can be given
" to the advocates of your communion, when they
" read in the pages of the most candid and
" accomplished of their number, the declara-
" tion of his opinion, that '*the measures of James*
" *may be denominated a project for effecting a*
" *general religious toleration*,' "

My language is as follows:—" In my Histo-
" rical Memoirs of the English, Irish, and Scottish
" Catholics, I have expressed my sentiments upon

" the conduct of James II. My opinion is, that *in* " *theory*," his project for effecting a general reli- " gious toleration," was entitled to praise; but as " the public mind was not disposed to receive it " favourably, it was *unwise*," and the measures " which he adopted for carrying it into execution, " were *unconstitutional*."

In the exposition which you give of this passage, there are both great misrepresentation and great concealment.

1st.—You make me say, that " the measures of " James might be denominated a project for ef- " fecting a general religious toleration." I neither say, nor believe that they may be so denominated. *One*, of James's projects was to effect a general religious toleration; but he had *other* projects in contemplation,—particularly the introduction of arbitrary power. To describe them all by the words you cite, would be great inaccuracy, and I have not been guilty of it. I have only mentioned his " project for effecting a general religious tole- " ration." and said nothing of the others.

2dly.—In *this* passage, You—(although you had inserted them in the preceding page)—omit altogether the important words, " *in theory*."

3dly.—You wholly conceal my explicit assertion of the *folly* and *unconstitutionality* of James's measures.

4thly.—In my " Historical Memoirs," * I have

* Vol. IV.

inserted a long note, to expose the futility of the arguments used by the advocates of James, in favour of the dispensing power which he claimed. —This, too, You conceal.

5thly.—Finally, You also conceal my statements in my letter to Dr. Southey, that "None disapproved of James's measures more than the Catholics;" and my quotation from Hume, "that all judicious persons of the Catholic communion, were disgusted with them, and foresaw their consequences;" that "Lord Arundell, Lord Powis, and Lord Bellaryse, remonstrated against them, and suggested more moderate councils;" and that, "when Lord Tyrconnel disclosed James's plan for catholicising Ireland, Lord Bellaryse declared his majesty was a fool and a madman, enough to ruin ten kingdoms."

11.—To the *Bill of Rights* and the *Act of Settlement*, no portion of his Majesty's subjects, more constitutionally submit than the Roman Catholics: *they only suggest, that no construction of the Bill of Rights, and no inferences from it, should be adopted to their prejudice, unless they are warranted by a fair construction of the words of the Act.* THEY PROTEST AGAINST ANY INTERPRETATION OF THEM, THAT AMOUNT TO LEGISLATION.

I beg leave to add, that, so far from wishing to conceal the illaudable conduct of any Catholic,

during the period in question, I have inserted, in my Historical Memoirs,* a fuller and clearer account of the very reprehensible practices of, what I term, *the Spanish faction*, than is to be found in any writer, Protestant or Catholic.

I have the honour to be,
with the greatest respect,
Your most obedient servant,

CHARLES BUTLER.

Lincoln's-Inn,
4th *November* 1825.

P. S.—SINCE the former sheets were printed, I have recollected a fact which strongly confirms what I have said in the third and ninth of the preceding letters. I transcribe the relation of it, from a Pastoral Instruction, published in 1793, by Doctor Troy, the Roman Catholic archbishop in Dublin:†

"The Roman Catholic archbishops of Ireland, at "their meeting in Dublin, in 1791, addressed a letter "to the Pope, wherein they described the misrepre- "sentations that had been recently published of

* Ch. XXXVI. & LI. Vol. III. p. 14 & 223.

† Printed by Coghlan, in Duke-street, and inserted by the late Sir John Hippisley, in "The Substance of a Speech "intended to be delivered in the House of Commons, on the "10th May 1805."—Keating and Brown, Duke-street.

" their consecration oath, and the great injury to the " Catholic body arising from them:—they expressed " their fullest conviction, that the oath, obliging " them only to canonical obedience to his Holiness, " and communion with the centre of unity, *was per-* " *fectly reconcileable with their loyalty as subjects,* " *and the allegiance* they had sworn to their gra- " cious sovereign King George III.:—they pro- " fessed a determination to observe both oaths, " and to preserve their communion with the Holy " See inviolate. Reflecting, however, on the igno- " rance of most Protestants respecting the oath, " with which they seemed only acquainted from " the calumnious publications against it, the pre- " lates above-mentioned suggested to the Pope, " that some declaration or explanation of the oath, " and particularly of the words—*Hæreticos per-* " *sequar et impugnabo,* from himself, or by his " authority, would probably remove the alarms of " well meaning Protestants, and confound the " prejudiced, who, by their misrepresentations of " the oath, endeavoured to blast the prospects and " expectations of Catholics to obtain an eman- " cipation from the penal code; which they had " reason to hope for, from the clemency of his " Majesty, and the wisdom of the legislature.

" After due deliberation at Rome, the congre- " gation of cardinals, appointed to superintend " the ecclesiastical affairs of these kingdoms, re- " turned an answer, (of which the following is an

" extract), by the authority and command of his " Holiness:—

" Most Illustrious and most Reverend Lords,

" as Brothers.*

" We perceive from your late letter, the great " uneasiness you labour under since the publica- " tion of a pamphlet, entitled, *The present State* " *of the Church of Ireland,* from which our " detractors have taken occasion to renew the old " calumny against the Catholic religion with in- " creased acrimony; namely, *that this religion is* " *by no means compatible with the safety of kings* " *and republics; because, as they say, the Roman* " *Pontiff being the father and master of all Ca-* " *tholics, and invested with such great authority,* " *that he can free the subjects of other kingdoms* " *from their fidelity and oaths of allegiance to kings* " *and princes,* he has it in his power, they con- " tend, to cause disturbances, and injure the public " tranquillity of kingdoms with ease. We wonder " that you could be uneasy at these complaints, " especially after your most excellent brother and " apostolical fellow labourer, the archbishop of " Cashel,† and other strenuous defenders of the " rights of the Holy See, had evidently refuted " and explained away these slanderous reproaches, " in their celebrated writings."

* " The original Latin will be found in opposite columns " in " Dr. Troy's Pastoral Instruction, 1793."—(Coghlan, " Duke-street."

† " Dr. James Butler."

" In this controversy a most accurate discrimina-
" tion should be made between the genuine rights
" of the Apostolical See, and those that are imputed
" to it by innovators of this age, for the purpose of
" calumniating. *The See of Rome never taught that*
" *faith is not to be kept with the heterodox:—that*
" *an oath to kings separated from the Catholic*
" *communion, can be violated: that it is lawful for*
" *the Bishop of Rome to invade their temporal*
" *rights and dominions.* We too consider *an*
" *attempt or design against the lives of kings and*
" *princes, even under the pretext of religion, as an*
" HORRID AND DETESTABLE CRIME."

" His Holiness Pius VI. has not, however,
" disregarded your requests; and therefore, in
" order to effectually remove every occasion of
" cavil and calumny, which, as you write, some
" borrow from the words in the form of oath of
" obedience to the Apostolical See, that bishops
" are required to take at their consecration, *I will**
" *prosecute and oppose heretics, &c. to the utmost of*
" *my power*; which words are maliciously inter-
" preted as the signal of war against heretics,
" authorising persecution and assault against them,
" as enemies; whereas the pursuit and opposition
" to heretics, which the bishops undertake, are to

* " No one word in the English language corresponds exactly
" to PERSEQUAR, as used here. It never signifies PERSECU-
" TION.—We have adopted the Bishop of Cloyne's translation
" of it.—*See* Dr. Butler's Justification, p. 85. *et seq.*—[Note of
" Dr. Troy."]

" be understood as referring to their solicitude and " efforts in convincing heretics of their errors, and " procuring their reconciliation with the Catholic " church: his Holiness has graciously conde- " scended to substitute, in place of the ancient " form of oath, that one which was publicly re- " peated by the archbishop of *Mohilow*, to the " great satisfaction of all the court of Petersburgh, " in presence of the empress, and which we trans- " mit to you in this letter."

" We think proper, notwithstanding, to remind " you of a late admonition of the most wise Pope " Benedict XIV. who, in his regulations for the " English missions, which are likewise applicable " to you, speaks thus:—The Vicars Apostolic *are* " *to take diligent care that the missionaries* " *behave on all occasions with integrity and deco-* " *rum, and thus become good models to others; and* " *particularly that they be always ready to cele-* " *brate the sacred offices, to communicate proper* " *instruction to the people, and to comfort the sick* " *with their assistance; that they, by all means,* " *avoid public assemblies of idle men, and taverns.* " . . . . *The Vicars themselves are particularly* " *charged to punish in such manner as they can,* " *but severely, all those who do not speak of the* " *public government with respect.*"

The pontifical order for the alteration of the pontifical oath, to be taken by the Irish Catholic prelates follows, *viz.*—

" From an audience had of his Holiness on he 9th day of June 1791.

"The archbishops, metropolitans of the king-
"dom of Ireland, represented to his Holiness,
"that, from the ignorance or malice of some
"persons, certain expressions in the form of the
"oath prescribed by the Roman ritual to be taken
"by bishops at their consecration, and by arch-
"bishops on receiving the *pall*, have been mis-
"represented; which has added new perplexities
"to those which they daily experience in a king-
"dom where the Catholic faith is not the religion
"of the state: wherefore they humbly requested,
"if it should appear expedient to his Holiness,
"that he would vouchsafe to apply a remedy by
"some of his apostolical vigilance. His Holiness,
"on this report being made to him by me, the
"underwritten, all circumstances of the case ma-
"turely considered, was graciously pleased to
"grant, that the bishops of the kingdom of Ire-
"land, at their consecration, and the archbishops
"on receiving the *pall*, may use the same form of
"oath which was taken by the archbishop of
"*Mohilow*,* in the empire of the Muscovites, by
"permission of his said Holiness, which is as
"follows:—

"I, *N. N.* &c. as in the Roman pontifical
"to the clause—*All heretics, schismatics, and*
"*rebels against our said Lord, and his successors*

* "Mohilow was erected into an archbishopric, with
"a chapter, by the present Pope. The first archbishop,
"Stanislaos Siestrrenawez, was appointed in a consistory at
"Rome, 21st December 1783, and is still living."

" *aforesaid, I will to the utmost of my power,*
" *prosecute and oppose,** which is entirely omitted.
" Afterwards, the words—*the Cardinal Prefect* of
" the sacred congrégation *for propagating the*
" *faith,* are substituted instead of *the Cardinal*
" *Preponent in the congregation of the Sacred*
" *Council.* The form concludes with these words:
" *I will observe all and every one of these things*
" *the more inviolably, as I am firmly convinced*
" *that there is nothing contained in them which*
" *can be contrary to the fidelity I owe to the most*
" *serene King of Great Britain and Ireland, and*
" *to his successors to the throne. So help me, God,*
" *and those holy Gospels of God. Thus I promise*
" *and engage.*

" Dated at Rome, in the house of the said
" Sacred Congregation, the 23d day of June
" 1791.

" L. CARDINAL ANTONELLI, Prefect.
" A. ARCHBISHOP ADANEN, Secretary."

* Bishop of Cloyne's Translation.

TRANSCRIPTIONS

OF THE

FOURTH LETTER ADDRESSED BY DOCTOR PHILLPOTTS TO MR. BUTLER, CONTAINING A CHARGE BROUGHT BY HIM AGAINST DOCTOR LINGARD.

DOCTOR LINGARD'S REPLY.

Doctor Henry Phillpotts, D.D. Rector of Stanhope, in the diocese of Durham, has published "Letters to Charles Butler, esq. on the Theological Parts of his Book of the Roman Catholic Church, with Remarks on certain Works of Doctor Milner and Doctor Lingard, and on some parts of the Evidence of Doctor Doyle before the Committees of the Houses of Parliament."

The fourth of these Letters is entitled, "*Doctor Lingard: his Unfaithfulness in Translation.*" This letter, and Doctor Lingard's reply to it, in a letter, which he has done the writer of the preceding letter the honour to address to me, are now presented to the reader.

I.

DOCTOR PHILLPOTTS'S CHARGE.

"In inquiring, in my last letter, into the Acts of the II. Nicene Council, I said that "Dr. "Lingard protests altogether against such in- "quiry, and declares that your Church acknow-

" ledges only the Council's doctrinal decree " passed in its last session." In answer to this statement, I then satisfied myself with showing, that the previous Acts of the Council are admitted, as authoritative, even by the Trent Catechism. But, as this Council's proceedings have been found very important in my view of the doctrine of your Church respecting Images, I now think it right to give more particular attention to Dr. Lingard's assertions, and shall thus at the same time fulfil my promise of addressing to you a few words respecting Dr. Lingard himself.

That gentleman is, I believe, among the most distinguished living writers of your Church. By yourself he is repeatedly mentioned in terms of very high respect: for although he is not cited as one of your Vouchers for the doctrines of your Church, yet as an historian, he is warmly commended by you, more especially for his accuracy and precision, and for " constantly citing " the authorities upon which his relations are " founded."* It is said, indeed, by those who have read his history, (I am not in that number), that the main part of your historical facts are derived from him.

It is plain, therefore, on all these accounts, that it will be by no means a superfluous labour, to dwell a little more at large on the manner in which he has treated the II. Nicene Council. The result may not only be useful in establish-

* " Book," &c. p. 28. note, and p. 193.

ing more fully the authority of that Council's Acts, a matter of much moment in the inquiry in which I am engaged;—but it may also afford a specimen of the method in which your modern ecclesiastical historian disposes of subjects which are not quite agreeable to him, and may thus assist his readers in estimating the value of his authority in all questions of doubtful evidence.

I have said that I am not in the number of those who have read Dr. Lingard's history; and I will frankly tell you my reason.

It happened to me, several years ago, to be engaged in a controversy with him,—the attack and defence of a charge delivered by the present Bishop of Durham: and, on that occasion, I had so frequent opportunities of experiencing the very peculiar use, which he thinks himself at liberty to make of the writings of ancient authors, that I felt no inclination to sit down to a work of his, the merit of which must entirely depend on his faithfulness to the authorities which he cites.

In the course of our controversy, I made pretty copious extracts from the Acts of the II. Nicene Council, (of which, indeed, I have not scrupled to avail myself in my preceding letter to you): and in his answer, which closed the controversy, he makes the statement to which I have before referred. "*The Acts of this Coun-*" *cil*," says he, "*are of no authority in the*

" *Catholic Church.* We assent, indeed, to the " doctrinal decree passed in the last session, " *which was approved by the Popes:* but *in the* " *Acts and Canons much is contained to which the* " *Roman Church would never impart its sanction.* " *Quæ apud nos nec habentur, nec admittuntur,* " says Anastasius Bibliothecarius, *a Roman writer* " *of the same age.*"*

This passage was not much regarded by me at the time when I first read it; and I never reverted to it, till my attention was recalled to these matters by my present correspondence with you. I then determined to investigate the grounds of a statement, which I was confident was unfounded, but which I never before had thought worth examining. I now proceed to give you the result of my inquiries. It will be found, that *not a single point*, whether affirmed, or insinuated, in the passage which I have cited from Dr. Lingard, (except your Church's admission of the final Decree of the Council), *is there truly stated by him.*

First, Dr. Lingard is pleased to say of his alleged authority, Anastasius Bibliothecarius, in order to give the greater weight to his testimony, that he was "*a Roman author of the same age*" with the Council. Now, so far is this from being the case, that the tract of Anastasius, from which Dr. Lingard makes his quotation, is inscribed to

* Lingard's Tracts, p. 238.

Pope John VIII. who did not succeed to the Papal Chair till near a hundred years later.*

In the next place, Dr. Lingard is so good as to give us the testimony of Anastasius to this alleged fact, that "in the Acts and Canons of "the Council much is contained to which the "Roman Church would never impart its sanc-"tion; *quæ apud nos nec habentur, nec admittun-"tur.*" Now, viewing this representation in the most favourable light, it is exactly of that kind which a man of real veracity would scorn to make; but which one, who halted between the inclination to mis-state and the fear of being exposed in his dishonesty, might bring himself to fancy at once serviceable and safe.

The words of Anastasius (to which, by the way, Dr. Lingard with all his accuracy in citing authorities, gives us no further clue than the name of the author) occur in a very short "Pre-"face to the Seventh Synod" (the second Nicene) interpreted and edited by him. He was, as his title denotes, the Pope's librarian, and by virtue of that office, had access to all the Papal records and monuments. He had translated the eighth General Council, and thought it, therefore, unfit, that the seventh should remain locked up either in the original or in an existing translation, which was so very bad, as to be hardly intelligible. In the course of his further observations, he says,

* The Council sate A. D. 787; John VIII. was elected Pope A. D. 873. vid. Baron. Ann.

as follows; "Sanè notandum est, quædam in hac "Synodo *ex Apostolorum et Sextæ Universalis* "*Synodi Canonibus* et Sententiis inveniri, quæ "penes nos *interpretata* nec habentur, nec admit-"tuntur."

This sentence contains the raw material, out of which Dr. Lingard has wrought a main part of his very ingenious statement. On comparing the two passages, it will be perceived, that much of what is most important in the original is loosely slurred over by Dr. Lingard, and, in particular, that the word *interpretata*, which could not be made to accord with his views, is actually struck out of the clause which he professes to cite verbatim. But in order to make the whole case better understood, I will beg leave to state the following facts connected with it.

Neither in the fifth, nor in the sixth General Councils, were any Canons set forth. To supply this defect, certain Prelates (some of whom had sate in the sixth Council) met in a Council, called, from its purpose, "Quinisextum;"* they there set forth Canons, and said that these Canons had before been passed at the *sixth* General Council. This "Concilium Quinisextum," not having been duly summoned, and its acts not having received the approbation of the Pope, was never acknowledged at Rome. Nevertheless, the Greeks, as appears from what Tarasias, Patriarch of Con-

* Πενθεκτη; fifth-sixth.

stantinople, says in the fourth Actio of the second Nicene Council, received these Canons as Canons of the sixth General Council.

The Latins were not so ready to own them by that name, nor, indeed, to give them any sanction whatever. But as this seventh General, or second Nicene Council, adopting some of these Canons, and thus giving to them the sanction of the Church, calls them Canons of the sixth General Council, Anastasius thinks it necessary to explain what must otherwise seem very strange to his Latin readers, and this he does in the passage cited above. "It is worthy of remark," says Anastasius, that "there are found in this "Council some things from the Apostolic Canons, "and from the *Canons* and Decisions of the *sixth* "*General Council*, which are not contained in the "documents of that Council which we have in "our possession (penes nos), translated into Latin, "(interpretata,)* nor are they admitted by us." He then speaks of both the Apostolic and the other Canons, and says, that John VIII. had now admitted all the Canons of all Popes, Fathers and Councils, which had preceded him, provided they were not contrary to faith and morals. "Therefore," he adds, "the Rules which the "Greeks say were set forth by the sixth Council, "the See of Rome admits in such manner in this

* That this is his meaning, is made still plainer by what he says a little afterwards, incognitæ quia nec interpretatæ.

" seventh Council, that still those of them which " contradict former canons or decrees of Popes or " sound morals, are in no measure received: " * but it is manifest, that those which are admitted by the seventh Council, and have thus the authority of the Church given to them, are not in the rejected class; nor, indeed, till this bold attempt of Dr. Lingard, were they ever pretended to be.

Does this sufficiently establish the unfairness of this writer, his intentional garbling, his gross misrepresentation of the passage which he cites? will it be contended, that he has erred through inadvertence, or in ignorance? This can hardly be believed: for neither inadvertence, nor ignorance, can account for the omission of a part of the words of his author, so important that the sense of the passage is wholly subverted by the omission.

But I pass to another part of the case. Dr. Lingard directly affirms, that " the *Acts* of this " Council," as contradistinguished from " the " doctrinal decree passed in the last session," " *are of no authority in the Catholic Church.*" I defy him to produce evidence of this assertion. Meanwhile, not only does the Catechism of the

* " Ergo regulas, quas Græci a sextâ synodo perhibent editas, ita in hâc synodo principalis Sedes admittit, ut nullatenus ex his illæ recipiantur, quæ prioribus canonibus vel decretis sanctorum Sedis hujus pontificum, aut certè bonis moribus inveniuntur adversæ." Labbe, Concil. t. vii. p. 30.

Council of Trent, as we have already seen, recognise those Acts; but Bellarmine, in his book "de "Conciliis," reckons the second Nicene Council as the seventh of those "eighteen, of which there "is not one, that is not approved by the Pope, "and received by Catholics;"* and this extends to the whole of the Acts of these eighteen, not to any particulars only: for he next specifies in a different class those which are "partly confirmed, partly rejected,"† as the Council of Constance, a part only of whose sessions is accepted, and the "Concilium Quinisextum," whose Canons, though the Pope was not present at it either in person, or by his Legates, are "partly approved, because "they have afterwards had the approbation of the "Pope, or of other lawful Councils, such, for "instance, *as its eighty-second Canon 'de pingendis "Imaginibus,' which was received by Pope Adrian "and the seventh Synod (the second Nicene), as "appears from that very Synod, Act two and "four.*"

Thus does your greatest and most learned divine recognise the authority of these acts of the second Nicene Council, as a matter of course. Indeed, he elsewhere says, "Si ergò ullum est "Concilium generale legitimum, certè hoc est:"‡ a declaration of no trifling importance to my ar-

* Bellarm. de Concil. c. 5. † Ib. c. 7.
‡ De Imag. l. ii. p. 806.

gument, not only as against Dr. Lingard, but also as fixing on your Church the full responsibility for all this Council's proceedings.

But Dr. Lingard's delinquencies do not end here. He insinuates (and an honest man ought to feel, that to insinuate what is untrue is as bad, as to affirm it)—Dr. Lingard, I say, insinuates, that *only* "the doctrinal decree passed "in the last session," *not the acts* of this Council at its other sessions, "was approved by the "Popes."

This is as utterly unfounded as the rest. It is true, we learn from Bellarmine, that it had been asserted in the very age of the Council, that it had not the approbation of the Pope; but this assertion extended to the whole of the Council's proceedings, including its final decree; it would, therefore, if true, prove too much for Dr. Lingard's purpose;—nay, it went further; for, it was accompanied with a charge against the Council of maintaining a doctrine, the very contrary to what is declared in that final decree, namely, that Latria is due to Images. How, therefore, does Bellarmine treat these averments? These are his words: "*Verè mendacia esse*, et *quòd Synodus* "*Nicæna caruerit Papæ Auctoritate*, et quòd "decreverit imagines adorandus culta latriæ, *cer-*"*tissimum est.*" "For," says he, "in this very "Council, Act 2. are recited the Letters of Adrian "in favour of Images, and in all the Acts the

"Legates of Rome are the first who subscribe "their names."*

Lastly, *there is actually stronger and more particular evidence of the approbation of the Pope having been given to the Acts of this Council, than to those of any other Council whatsoever*, For, in the very volume† from which Dr. Lingard cites his passage from Anastasius, there is a long *defence of the Acts of the Council*, extending to particulars which occur in every one of the Acts separately, addressed to Charlemagne, *by the very Pope Adrian* I., who by his Legates presided at it.

I have here done with Dr. Lingard; and am sorry that I have been obliged to detain you so long with this discussion respecting him; a discussion which, I fear, not even the interest excited in you for the reputation of a friend, can have wholly prevented from being tedious. Perhaps, however, you will by this time understand, why I now attend "not to what Dr. Lingard may say, but to what "he may prove:" and that to a history by that writer I do not attend at all.

Let us pass to something else."

* Bellarm. de Imag. l. ii. p. 806. † Labb. Concil. t. vii.

II.

DOCTOR LINGARD'S REPLY TO THE CHARGE BROUGHT AGAINST HIM IN THE PRECEDING LETTER.

Dear Sir,

SEVENTEEN years have rolled away since I met Dr. Phillpotts in the field of controversy. In most cases so long a cessation of hostilities would have sufficed to extinguish every angry feeling, if any such had been excited by the preceding contest. But with Dr. Phillpotts it seems to be otherwise. The intemperate attack which that learned divine has been pleased to make upon me, in his letters recently addressed to you, will justify a suspicion that angry feelings are still cherished in his breast, and that still

Hæret lateri lethalis arundo.

During that controversy, in the year 1808, it was my fortune to convict him of having published an unfaithful translation of an ancient document: and now, in 1825, even while he tacitly admits the charge, by adopting in his letters to you a more accurate version (see p. 86), he seeks to retaliate, by accusing me of having made, at the same time, an unfaithful quotation. *I* was content with pointing out his offence: *he* goes further, and infers, from the charge against me, that I am totally un-

worthy of belief. But I may ask, is he not then bound by his own rule? If the mere charge of unfaithful quotation be sufficient to impair my credit, does it not follow, that the charge of unfaithful translation, not merely made, but proved and admitted, has already destroyed his?

It is the usual resource of a skilful disputant, when he feels himself too closely pressed, to divert the attack of his adversary by bringing forward new subjects of discussion. Availing himself of this manœuvre, Dr. Phillpotts, in the controversy to which I have alluded, introduced, rather awkwardly, two long disquisitions on the second Council of Nice, and on the opinions of the ancient schoolmen respecting images: the same disquisitions in fact, which he has reprinted in his late publication, as if they were something new, and had never been answered. Yet Dr. Phillpotts knows that I returned an answer, which by many readers was considered satisfactory, and in which I ventured to expose what I deemed his misstatements, to supply his omissions, and to controvert his arguments. But of all this he appears to remember nothing: his recollection serves him only to refer to a short passage, which I shall now transcribe for the satisfaction of the reader.

Addressing him, I said, "You will probably be "still more surprised, when I venture to inform "you that the Acts of this Council" (the daily reports of the speeches and proceedings in the second Council of Nice) "are of no authority in the Ca-

"tholic Church. We assent, indeed, to the doctri-
"nal decree passed in the last session, which was
"approved by the Popes: but in the Acts and
"Canons much is contained, to which the Roman
"Church would never impart its sanction. 'Quæ
"apud nos nec habentur, nec admittuntur,' says
"Anastatius Bibliothecarius, a Roman writer of
"the same age."

This passage was then neglected by Dr. Phillpotts: it is only of late that he has thought it worth his notice. On examining the work of Anastatius, preparatory to the publication of his letters to you, he discovered some discrepancy between the quotation and the original. Immediately his ire against me was rekindled: he sat down to compose a chapter under the head of "*Dr. Lingard: his* "*Unfaithfulness in Quotation*;" and spread the puny efforts of his vengeance over the surface of no fewer than a dozen pages. Those who have read the former controversy between us, know how to appreciate the assertions of Dr. Phillpotts: but, as others may be imposed upon by that tone of confidence and superiority which he assumes, I shall here beg leave to notice the principal of his objections.

1°.—He denies that Anastatius was a writer of the same age.—If by the same age we are necessarily left to understand the same century, I must own that the expression was not strictly correct. I conceive that I called him so, because he wrote within a hundred years after the Council, and in

the midst of the contestations to which it gave rise. But, in reality, the later he wrote, the better it is for my argument: since his testimony shows (I shall prove it hereafter), that up to that period the Roman church had refused its sanction to certain things contained in the Acts and Canons of the second Nicene Council.

2°.—He next reproaches me with the intentional suppression of the word "interpretata" in the text of Anastatius.—Whence the omission of the word arose, whether from the negligence of the printer, or from my own inadvertence, it is not in my power, at the distance of seventeen years, to discover. That it was not intentional, is most evident. The omission could not strengthen my cause; it could not weaken his. The word had nothing to do with the question between us, which regarded not the translation, but the admission or non-admission of certain Canons by the Roman Church.

3°.—These, however, are but trifles. "The "head and front of my offending" consists in this; that, according to Dr. Phillpotts, the passage from Anastatius does not bear in the original the meaning which it is made to bear in my pages. Hence, he charges me with "unfairness, with in- "tentional garbling, with gross misrepresentation, "with doing that which a man of real veracity "would scorn to do, but which one who halted "between the inclination to mis-state, and the "fear of being exposed in his dishonesty, might

"bring himself to fancy at once serviceable and "safe." At such language I feel no surprize: it is familiar to the rector of Stanhope: seventeen years ago he displayed his proficiency in the art of abusing his adversary. To it therefore I shall return no other answer now, than what I returned then. I shall only say with the poet, that

A moral, sensible, and well-bred man
Will not offend me, and no other can.

But I owe it to myself, and to the reader, to disprove the charge, and to show that it is entirely founded on the mistakes of the man who made it.

The passage from Anastatius stands thus in the original: "Sane notandum est quædam in hac synodo ex apostolorum et sextæ universalis synodi canonibus inveniri, quæ penes nos interpretata nec habentur, nec admittuntur." Perhaps I need say no more. The meaning of these words is so very obvious, that the reader, if he recollect that they were written eighty years after the Council, must, I think, pronounce in my favour.

But to preclude the very possibility of cavil, I will observe, that in the ancient church there were two collections of Canons, called Apostolic Canons, one of which contained fifty, the other eighty-five articles. In 691, a synod of bishops, assembled by the emperor Justinian II. in Constantinople, and since called the council Quini-sext or in Trullo, decreed one hundred and two Canons of discipline, by the second of which the observance of the eighty-five Apostolic Canons was strongly

enforced. But the following year Pope Sergius rejected the Council and its Canons, and in 769 Stephen IV. decreed that the fifty Apostolic Canons and no more, should be observed.

Thus the matter rested till the second Council of Nice, in 787. By this both the larger collection of Apostolic Canons, and that of the Council in Trullo, were not only quoted with applause, but approved and confirmed in the strongest terms. But the Roman Church did not bend to the authority of the Council: it still adhered to its former decisions; and the two codes of Canons remained without force, and almost unknown, till the pontificate of John VIII. That Pope, about the year 872, probably as a measure of conciliation, made a general order, that all Canons of the Apostles and Councils should be admitted under certain limitations, by which were excluded such Canons among them, as might be contrary to faith, or morals, or the previous constitutions of the Roman Pontiffs. Perhaps Dr. Phillpotts may think this order an admission of the Canons approved by the second Nicene Council. But it was far otherwise. The Council commanded *all* the Canons of both collections to be observed: the Pope excepted *several*. We are assured of it by Anastatius himself. "Ergo regulas quas Græci a sexta synodo perhibent editas, ita in hac (Nicæna) synodo principalis sedes admittit, ut *nullatenus ex his illæ recipiantur*, quæ prioribus canonibus vel decretis sanctorum hujus sedis pontificum, aut certe bonis moribus inveni-

untur adversæ. Let the reader, with this information before him, peruse once more the passage, which has brought so much abuse upon my head, and say, whether it be possible for any dispassionate man to doubt, that I was justified in the use which I made of it.

But what is the meaning attributed to it by Dr. Phillpotts? That is a mystery which he has prudently locked up within his own breast. He appears only to insinuate, that according to Anastatius, the Canons were not admitted, because they had not been translated, and were therefore unknown. But to whom were they unknown? To the generality of the Latins! That is undoubtedly true, for they had not been translated into the book of Canons for the use of the Latin church. But were they unknown to the Popes? to Hadrian, whose legates presided in the Nicene Council? or to his successors, who wrote so many letters respecting the proceedings of the Council? Now, if they were not, what reason can be given, why these Pontiffs did not notify them to the Latin Church, but that they did not admit them?

In support, as it would seem, of his hypothesis, Dr. Phillpotts has favoured us with an English version of the passage from Anastatius, beginning with Sane notandum, &c. But there is something portentous in its length; the four lines of the original are multiplied into eight; and the words, quæ penes nos interpretata non habentur, are rendered, "which are not contained in the

"documents of that Council, which we have in our "possession, translated into Latin." It will suffice to observe, that this version says much more than Anastatius said: it even says, that which in all probability he could not have said without giving the lie to himself. For he has told us, that the Romans had a translation of the Council, the author of which had rendered the original text *word for word*. Verbum e verbo secutus. It was in the book of Canons for the government of the Latin church, that they were not translated.

He has also favoured us with a translation of the other passage which I have quoted, beginning with Ergo regulas, &c. "Therefore the rules, "which the Greeks say were set forth by the sixth "Council, the See of Rome" (who could have expected this rendering of principalis sedes from the orthodoxy of Dr. Phillpotts?) "admits in "such manner in this seventh Council, that still "those of them which contradict former canons "or decrees of Popes, *are in no measure admitted*." But does not this very passage speak of some Canons that are not admitted? Not in the opinion of Dr. Phillpotts, who argues thus: "the second "Nicene Council adopted some of these Canons, "and gave to them the sanction of the Church:"— "it is therefore manifest that such canons are not "in the rejected class; nor, indeed, till this bold "attempt of Dr. Lingard were they ever pretended "to be." Seldom have so many mistakes been crowded within so few lines. 1°. "The Council

"adopted some of these (Quinisextian) Canons." It did not adopt *some* only; it adopted and confirmed *all* without exception. 2°. "It is manifest "that such Canons are not in the rejected class." Yet, if all were adopted by the Council, and some were rejected by the Popes, some of those adopted must have been in the rejected class. 3°. "Nor, till this bold attempt of Dr. Lingard's, "were they ever pretended to be." Yet every writer on these subjects, as far as I have been able to learn, has carefully pointed out to his readers, the very Canons which were rejected by the Pontiffs. Indeed, the Greeks have always made that rejection one of the chief grounds on which they attempt to justify their separation from the Roman Church.

I am aware, that I have already trespassed too far on the patience of your readers, and shall dismiss the remaining charges of Dr. Phillpotts with this general answer:—that Catholics admit the second Nicene Council and subscribe to its decree respecting the faith of the Church; that they refer to the Acts as an historical document, but not as doctrinal authority binding their belief, and that they censure or approve the opinions of the individual speakers recorded in the Acts, according to their respective judgments. But as it is evident, that on the subject of general councils he has to learn the very rudiments of Catholic theology, I recommend the following passage to his notice:—"Illud solum et totum est de fide, quod definitur.

Hinc plurima continentur in conciliis etiam generalibus, quæ non sunt de fide: scilicet quod est in eis obiter dictum; multo minus quod in sessionibus a variis prælatis, dum sententias proferunt, probatum est; multo etiam minus quæ a doctoribus in discussionem rei definiendæ præmittuntur aut allegantur." Veron, Reg. Fidei, c. 1. § iv. N° v.

In conclusion, allow me, Sir, to offer you my congratulations on the eminent services, which by your valuable works you have rendered to the Catholic cause. That tone of moderation and forbearance by which they are distinguished, will place in a more striking light the temerity and intemperance of this your new, and, as far as I can judge, unprovoked antagonist.

I have the honour to be,

dear, Sir,

Your very obedient servant,

JOHN LINGARD."

Hornby, Oct. 13, 1825.

APPENDIX.

N° I.

Opinions of Foreign Universities on the Temporal Power of the Pope.

IN pursuance of Mr. Pitt's suggestions, three questions were sent to the Universities of the Sorbonne, Louvaine, Douay, Alcala and Salamanca. They were expressed in the following terms, and received the following answers:—

"1. Has the Pope or Cardinals, or any body of men, "or any individual of the Church of Rome, any civil "authority, power, jurisdiction, or pre-eminence what-"soever, within the realm of England?

"2. Can the Pope or Cardinals, or any body of men, "or any individual of the Church of Rome, absolve or "dispense with his Majesty's subjects, from their oath "of allegiance, upon any pretext whatsoever?

"3. Is there any principle in the tenets of the Catholic "faith, by which Catholics are justified in not keeping "faith with heritics, or other persons differing from "them in religious opinions, in any transaction, either "of a public or a private nature?"

The Universities answered unanimously:

"1. That the Pope or Cardinals, or any body of men, "or any individual of the Church of Rome, has not, nor "have any civil authority, power, jurisdiction, or pre-"eminence whatsoever, within the realm of England.

" 2. That the Pope or Cardinals, or any body of men, " or any individual of the Church of Rome, cannot ab- " solve or dispense with his Majesty's subjects, from " their oath of allegiance, upon any pretext whatsoever.

" 3. That there is no principle in the tenets of the " Catholic faith, by which Catholics are justified in not " keeping faith with heretics, or other persons differing " from them in religious opinions, in any transactions, " either of a public or a private nature."

The opinions of the universities of the Sorbonne, Louvaine, and Douay, were first received, and were transmitted to Mr. Pitt with the following letter:—

" Sir,

" The Committee of the English Catholics have the " honour to lay before you, the opinions of the univer- " sities of Sorbonne, Louvaine, and Douay, which have " been transmitted to us in consequence of your desire.

" You will, we hope, see, from these opinions, that " the sentiments of the most famous foreign bodies per- " fectly coincide with those which we had the honour " of stating to you last year, as our firm and sincere " tenets.

" At the same time, we beg leave to call to your re- " membrance, that our opinions were fully stated to you " previously to the obtaining those of the foreign uni- " versities; and that they were consulted, not as the " rule by which we form our ideas of the duties of good " subjects, but as a collateral proof to you, that our " sentiments are consonant to those of the most en- " lightened and famous bodies of Catholic divines on " the Continent, upon these subjects.

" We have the honour to be," &c. &c.

As soon as the other opinions were received, the committee transmitted them also to Mr. Pitt.

A translation of all these answers is inserted in the Appendix to the first volume of Mr. Butler's "Historical Memoirs of the English, Irish, and Scottish "Catholics."

N° II.

The Oath taken by the English Roman Catholics, under the Provisions of the Act passed for their Relief, in the Year 1791.

"I, *A. B.* do hereby declare, That I do profess the "Roman Catholic religion."

"I, *A. B.* do sincerely promise and swear, That I will "be faithful, and bear true allegiance to his Majesty "King George the Third, and him will defend, to the "utmost of my power, against all conspiracies and "attempts whatever, that shall be made against his per- "son, crown or dignity; and I will do my utmost en- "deavour to disclose and make known to his Majesty, "his heirs and successors, all treasons and traitorous "conspiracies which may be formed against him or "them: And I do faithfully promise to maintain, sup- "port and defend, to the utmost of my power, the suc- "cession of the crown; which succession, by an act, "intituled, 'An Act for the further Limitation of the "Crown, and better securing the Rights and Liberties of "the Subject,' is and stands limited to the Princess "Sophia, electress and duchess dowager of Hanover, "and the heirs of her body, being Protestants; hereby

"utterly renouncing and abjuring any obedience or al-
" legiance unto any other person claiming or pretending
" a right to the crown of these realms: And I do swear,
" that I do reject and detest, as an unchristian and im-
" pious position, that it is lawful to murder or destroy
" any person or persons whatsoever, for or under pre-
" tence of their being heretics or infidels; and also,
" that unchristian and impious principle, that faith is
" not to be kept with heretics or infidels: And I further
" declare, that it is not an article of my faith, and that
" I do renounce, reject, and abjure the opinion, that
" princes, excommunicated by the Pope and council,
" or any authority of the see of Rome, or by any autho-
" rity whatsoever, may be deposed or murdered by their
" subjects, or any person whatsoever: And I do promise,
" that I will not hold, maintain or abet any such opi-
" nion, or any other opinions contrary to what is ex-
" pressed in this declaration: And I do declare, that
" I do not believe that the Pope of Rome, or any other
" foreign prince, prelate, state or potentate hath, or
" ought to have, any temporal or civil jurisdiction,
" power, superiority, or pre-eminence, directly or indi-
" rectly, within this realm: And I do solemnly, in the
" presence of God, profess, testify and declare, that I do
" make this declaration, and every part thereof, in the
" plain and ordinary sense of the words of this oath,
" without any evasion, equivocation, or mental reserva-
" tion whatever; and without any dispensation already
" granted by the Pope, or any authority of the see of
" Rome, or any person whatever; and without thinking
" that I am, or can be, acquitted before God or man,
" or absolved of this declaration, or any part thereof,
" although the Pope, or any other person or authority
" whatsoever, shall dispense with or annul the same, or
" declare it was null and void."

A similar oath was prescribed to the Irish Roman Catholics, by the act passed for their relief, in the 33d year of his late Majesty. No Roman Catholic objects to either oath.

N° III.

Letter on the undivided Allegiance of Roman Catholics to their Sovereigns; first inserted in the Old Times.

AT the general annual meeting of the Roman Catholics at the Crown and Anchor Tavern, on the 25th of last month, THANKS WERE UNANIMOUSLY VOTED TO THE GENTLEMEN OF THE ENGLISH BAR, WHO PETITIONED PARLIAMENT IN FAVOUR OF THE LATE CATHOLIC RELIEF BILL,—WITH A STRONG EXPRESSION OF THE GENERAL SURPRISE AND CONCERN OF THE MEMBERS OF THE ASSOCIATION, AT THE CHARGE OF DIVIDED ALLEGIANCE LATELY MADE IN PARLIAMENT AGAINST THE WHOLE CATHOLIC BODY.

1. *This vote of thanks* to the gentlemen of the English bar, who presented petitions to Parliament in favour of the late bill for Catholic emancipation, was certainly very proper. Their petition was highly honourable to the Catholic cause, essentially served it, and affords us great reason to hope that, in all our future applications to Parliament, and in every other exertion which we shall make to deliver ourselves from the shackles which still enthral us, we shall always have efficient support from the gentlemen of the English bar. None know more than they the hardships of our condition; none have more kind or more honourable hearts; to them,

therefore, we particularly look up;—on their active and effective support we confidently rely. Some of them are yet estranged from us: this we know, and lament; but we trust the estrangement will not be of long duration. In January 1783, a petition for relief was presented to the Irish House of Commons by the Irish Catholics: every lawyer in the house declared against it; and on the 11th day of the following February it was rejected, with marked indignity, by a majority of of 208 votes to 23. In March or April 1784, (little more than one year after this contemptuous rejection of the petition), a bill for the relief of the Roman Catholics was brought into the House: every lawyer then voted for it; and it was triumphantly carried through both Houses of Parliament, with scarcely a dissentient voice. Surely it is impossible that the progress of reason should at any time be slower at the English bar, than it was, on this memorable occasion, at the Irish. This sudden change in the Irish House of Commons should never be forgotten. It shows, that a division against us, however numerous, should not appal us, or induce us to relax our efforts; and that, even when appearances are most against us, we may be on the eve of success.

2. *In respect to the charge of divided allegiance* recently brought against us and our whole body, I beg permission to say,—that when I first heard this charge, I was lost in grief and astonishment, particularly when I heard by whom it was made.

I am sure that there is not in the united empire a single Catholic, whatever his rank or condition in life, who was not equally grieved and astonished at this most unmerited and most unfounded accusation. Upon what ground is it brought? Is it upon our actions? We defy the ingenuity of man to mention any act of

ours that justifies such a charge. Is it upon our principles? Then let the alleged principle be pointed out, and if it be of a nature which justifies the charge, we shall instantly and explicitly protest against it, and indubitably show that it is not, and never has been, a tenet of our creed, and that we have repeatedly rejected it, and every tenet of such a tendency.

It is said that we acknowledge allegiance to the Pope. We disclaim any allegiance to him; he is not our king, our sovereign, or our liege lord. King George IV. and the heirs of Princess Sophia, of Hanover, being Protestants, (to whom the crown is limited by the Act of Settlement),—these, and these only, we acknowledge to be our kings, our queens, our royal sovereigns: to them, and to them only, we profess allegiance: and more pure, more perfect, or more undivided allegiance than that which we profess to them does not exist, and cannot be imagined. The Pope has not the slightest right to allegiance, or to a particle of it from us. This is the universal belief of all Catholics, from the Duke of Norfolk to the footman who waits behind the Duke of Norfolk's chair.

To this unreserved, absolute, and undivided allegiance, we have most explicitly sworn in the oaths prescribed by the statutes of the 18th, 31st, and 33d of his late majesty. This allegiance, the opinions of the foreign universities, taken by the desire of Mr. Pitt, declare to be due from all subjects to their sovereigns by the universal doctrine of the Catholic church: these opinions also explicitly state, that no allegiance is due to the Pope from any subjects but his own.

It is said, that the spiritual obedience which we owe to the Pope conflicts with our allegiance, and works a division in it. Mark how I dispose of this objection in a breath! Divided allegiance is disloyalty—disloyalty is sin; we owe no obedience whatever to the Pope

when he commands us to sin. Let me suppose a case which *we* think impossible? that the Pope should propose to us something derogatory of true and undivided allegiance, we should turn from him with disgust. We should say to him, "Arroint! Thy words are not the "words of God; they are the words of the Evil One!" —We should answer as our ancestors did to Pope Boniface VIII. when he ordered King Edward I. not to make war on the king of Scotland—"We do not, we "will not, we cannot, we ought not to permit our lord "the king, to do any of the things aforesaid, even if he "were ever so desirous to do them."*

3. *The Popes themselves have unequivocally and repeatedly disclaimed any right to the allegiance of any subjects but their own.* In 1682, the Gallican church subscribed four articles. By the first they declare,—"That the power of the Pope does not extend to things "civil or temporal; that in temporals, kings and princes "are not subject to the ecclesiastical power; that they "cannot, directly or indirectly, be deposed by the "power of the keys, or their subjects discharged by "them from the obedience which they owe to their "sovereigns, or from their oaths of allegiance." This is the first article of the declaration; the three other articles relate to certain points of ecclesiastical discipline. All the four were signed by all the prelates of France—by all its secular, by all its regular clergy. Out of France, some objections were made to THE THREE LAST articles—none whatever to the FIRST.† Can a more

* "Resistance of the Sovereigns and Legislature of England to "the attempts of the Popes to establish in it their Temporal Power." —Historical Memoirs of English, Irish, and Scottish Catholics, Ch. VII. s. 3, p. 36. 3d Edition.

† This circumstance I have repeatedly noticed in my "Historical Memoirs,"—my "Book of the Roman Catholic Church," and the present publication: I again beg the Reader's attention to it.

complete disclaimer to the Pope's right to temporal power, or of his right to the allegiance of subjects, or to any portion of it, be imagined? Now, up to the moment of the French revolution, every prelate of France signed this declaration,—yet the Pope instituted every such prelate to his see; every secular, every regular priest signed it,—yet the Pope admitted every such secular, every such regular priest into his communion. Nay, more;*—in the negotiations in 1811, between Pope Pius VII. and Napoleon, the latter vehemently insisted on the Pope's sanctioning the Gallican declaration of 1682; the Pope refused to sign the three last articles; but the first—that which confines the power of the Pope to spiritual concerns—that which proclaims the civil independence of sovereigns—that which propounds the absolute and irreversible right of sovereigns to the allegiance of their subjects, and denies it to the Pope—this article, this very article, the Pope assented to without any hesitation. He declared, that "if the dispute turned on that article only, he would "subscribe it without difficulty." What, then, becomes of the charge of divided allegiance? We reject it; the Pope disclaims it; the whole Catholic world laughs at it; then let us hear no more of it.

4. Permit me now to avow *a suspicion, that if those who make this charge would consult their own minds, they would find that they themselves scarcely believe it.* There are persons who profess to discern some threatening clouds in the north of the political horizon, and to think that they advance angrily, steadily, and not very slowly, towards England. Supposing the prognostics

* *Official Letters of the Archbishop of Tours; inserted by him in his publication, entitled, "Fragmens relatif a l'Histoire Ecclesiastique des "premieres Années du xix Siecle."*

of these gentlemen to be realized—that all these clouds should lour over our coasts, and that the Pope (a most ridiculous supposition) should appear in the midst of them, and direct the storm! would any one gravely say, that, in the impending conflict, the Catholics should be distrusted? If the Lord Chancellor should be then asked, whether the allegiance of the Catholic peers, beyond the bar of the House, should be relied on as much as the allegiance of the Protestant peers within it,—would he doubt?—would he not immediately answer in the affirmative?—If the Speaker of the House of Commons were asked, whether the allegiance of the Catholics, in those ranks from which members of the House are usually chosen, should, on such an occasion, be as much depended on as the allegiance of the actual members of his House,—would not he, too, answer in the affirmative? If similar questions were proposed to the grand juries, or to the magistrates of the quarter sessions, would they not return the same affirmative answer? What, then, becomes of the charge?

5. I call upon my countrymen to think of the conduct of the Catholics when the *Spanish Armada* threatened our coast. Every cruelty, every indignity which the most atrocious polity could invent, the Catholics had suffered from queen Elizabeth and her ministers. The Catholics knew that Pope Pius V. had excommunicated the queen—had deposed her—had absolved them from their allegiance to her, and implicated them in her excommunication, if they continued true to her; that Pope Sixtus, the reigning Pope, had renewed the excommunication—had called on every Catholic prince to execute the sentence; and that Philip II. by far the most powerful monarch of the time, had undertaken it—had lined the shores of the Continent with troops ready, at a moment's notice, for the invasion of England, and

had covered the sea with an armament which was proclaimed to be invincible. In this awful moment, when England stood in need of all her strength, and the slightest diversion of any part of it might have proved fatal to her, the worth of a Catholic's loyalty was fully shown. "Some," says Hume, "equipped ships at "their own charge, and gave the command of them to "Protestants; others were active in animating their "tenants, their vassals, and their neighbours, in de-"fence of their country." "Some," says the writer of an intercepted letter, printed in the second volume of the Harleian Miscellany, "by their letters to the coun-"cil, signed by their own hand, offered that they would "make adventures of their own lives in defence of the "queen, whom they named their undoubted sovereign; "lady and queen, against all foreign foes, though they "were sent from the Pope, or at his commandment; "yea, some did offer that they would present their "bodies in the foremost ranks." Lord Montague, a zealous Catholic, and the only temporal peer who ventured to oppose the act for the queen's supremacy, in the first year of her reign, brought a band of horsemen to Tilbury, commanded by himself, his son, and his grandson, thus pe\illing his whole house in the expected conflict. The annals of the world do not present a more glorious or a more affecting spectacle than the zeal, the undivided allegiance, shown on this memorable occasion by the poor and persecuted, but loyal, but honourable Catholics! Nor should it be forgotten that, in this account of their loyalty, all historians are agreed. Then, is it not shameful to charge the Catholic descendants of these admirable Catholics with divided allegiance?—thus to spurt disloyalty in their faces?

6. It is remarkable that *the kingdom abounds in double allegiance, and no notice is taken of it.* At this present

time, the presumptive heir of the Crown owes, as Duke of York, allegiance to King George IV. of England, and also owes, as bishop of Osnaburgh, allegiance to King George II. of Hanover.

Has there ever been a Catholic mean enough to talk of this double allegiance of his Royal Highness? Such meanness never entered into our minds.

No! THE CATHOLIC RELIGION IS THE RELIGION OF GENTLEMEN, AND OF THOSE WHO THINK LIKE GENTLEMEN. ALL THEY ASK IS, THAT THEIR ADVERSARIES SHOULD THINK AND ACT AS GENTLEMEN IN THEIR REGARD.——The duke of Richmond is duke d'Aubigni, and possesses fiefs in France. The duke of Marlborough is a prince of Germany, and possesses a German principality. The duke of Wellington is a grandee of the first class in Spain, and holds large territorial possessions in Valentia. All these illustrious persons owe allegiance to the sovereigns within whose territories their possessions are situate; all, too, owe allegiance to his Britannic Majesty. This double allegiance has not been, and ought not to be, reproached to them. But while the questionably double allegiances of all these distinguished personages has ever been passed over in silence, and perhaps never thought of, double allegiance has been *invented* for Catholics; and they have been criminated for it, and for all its possible or rather ideal consequences. Is this fair? Is it just? Is it honourable? No! Let us, then, hear no more of this charge. How can it enter into the mind of an honourable man to make it?

7. *The belief of Alexander the Great in virtue,* when he received the cup from his physician, who was accused of a wish to poison him, has been deservedly praised. *Will Protestants, in respect to their Catholic brethren,*

never aspire to the same belief in virtue? Will they always remain blind to the loyalty of the Catholics?—to their immense services in their fleets and armies?—Will they never recollect, that if their ungenerous accusations should drive the Catholics from these, frightful indeed would be their solitude? Will the Protestants always forget, that, when all her Protestant colonies rebelled against England, Catholic Canada alone was true to her allegiance? Will they—but the subject is endless. If there be one thing more certain than another, it is that which we now confidently assert: THAT THE LOYALTY OF THE CATHOLICS OF THE UNITED EMPIRE IS PURE, PERFECT AND UNDIVIDED; THAT IT WILL BEAR ANY TRIAL; THAT, IN EVERY TRIAL, IT WILL BE FOUND EMINENTLY PURE; AND THAT IT IS MOST UNGENEROUS AND MOST UNWISE TO DISTRUST IT.

CHARLES BUTLER.

N° IV.

Letter on the Coronation Oath, first inserted in the Old Times.

FEW Parliamentary documents possess, in any point of view, so much importance as the speech delivered on the 25th of last month, in the House of Lords, by his Royal Highness the Duke of York, on presenting the petition of the Dean and Canons of Windsor against granting any further relief to his Majesty's Roman Catholic subjects.

Lamenting, as they must do, that his Royal Highness is so adverse to their petitions, still the Roman Catholics are grateful for his open avowal of his opinions, and of the reasons upon which they are grounded. It allows

them free liberty to discuss them with the respect due to his exalted rank.

Availing himself of this circumstance, an humble individual of their number trusts, that he may, without offence or impropriety, submit to his Royal Highness some observations upon the following passage in his speech.

His Royal Highness states in it, that he "wished to "ask whether their lordships had considered the situa- "tion in which they might place the King, or whether "they recollected the oath which his Majesty had taken "at the altar, to his people, upon his coronation? He "begged to read the words of the oath. 'I will, to the "utmost of my power, maintain the law of God, the true "profession of the Gospel, and the Protestant re- "formed religion, established by law; and I will pre- "serve unto the bishops and clergy of this realm, and "to the churches committed to their charge, all such "rights and privileges as by law do or shall appertain "to them, or any of them.' Their lordships, continued "his Royal Highness, must remember that ours is "a Protestant King, who knows no mental reservation, "and whose situation is different from that of any other "person in this country; that his Royal Highness, and "every other individual in this country, could be re- "leased from his oath by the authority of Parliament; "but the King could not. The oath, as he had always "understood, is a solemn obligation, entered into by "the person who took it, from which no act of his own "could release him; but the King was the third part of "the State, without whose voluntary consent no act of "the Legislature could be valid, and he could not relieve "himself from the obligation of an oath."

With the utmost deference and respect to his Royal Highness, it is suggested to his consideration, that the

expressions copied from his speech give rise to the following observations:—

I. Is it not the bounden duty of the Sovereign of these realms to give his royal assent to every bill presented to him by the two Houses of Parliament, which he himself believes to be conducive to the welfare of the empire?

In an ancient statute, (25 of Edw. III. stat. 6), this is unequivocally expressed. It is there said, that "the right "of the crown of England and the law of the realm, is "such, that upon the mischiefs and damages which hap- "pen to this realm, the King ought and is bound by his "oath, with the concord of the people in Parliament as- "sembled, to make remedy and law." Does it not follow, that if the two Houses of Parliament should present a bill to the Monarch, fort he repeal of the laws remaining in force against the Roman Catholics, and the Sovereign should be of opinion that not to repeal those laws would bring mischief and damage to the realm, he would be constitutionally bound, in the words of the act, to make the remedy, by assenting to the bill of repeal? Would not any oath taken by the Monarch not to assent to such a bill be a nullity? Must not every such oath be necessarily understood to be accompanied by an implied condition, that nothing contained in it should oblige him to act against the principles of the constitution, or the rights or welfare of his subjects, or to forbear from assenting to any bill which enacted any measure for their good.

II. No prospective act of the Legislature can discharge the King from the paramount duty thus imposed upon him, of giving his assent to a bill presented to him by the two Houses of Parliament, which he himself approves of, and deems salutary. In this the highest authorities in the law agree.

We beg leave to call the attention of his Royal Highness to what is said by Sir William Blackstone of the omnipotence of Parliament; of its uncontrollable power in "making, restraining, abrogating, and repealing laws "concerning matters of all possible denomination, "ecclesiastical or temporal." He avers most explicitly, that "Parliament can alter the established religion of "the land." This is the very strongest act of legislation that can be supposed. His Royal Highness must be sensible, that a repeal of the few laws yet remaining in force against the Roman Catholics is immeasurably distant from it.

Lord Coke lays it down as a constitutional maxim, and a fundamental principle of law, that "acts against "the power of Parliament bind not."

In the 21st of Richard II. (Rot. Parl. 50. 52.), an oath was taken by the lords spiritual and temporal, and, also by the proctors of the clergy, and the knights in Parliament, that "they would not reverse, break, irritate, "annul, or repeal any of the judgments, establishments, "statutes, or ordinances made, rendered, or given in "that Parliament." "But our Lord the King," continues the record, "having advised and deliberated with the "prelacy and clergy of this realm, well understood that "he could not, bind his successors, Kings of England, "by their oath or any other means, against the liberty "of the crown."

Thus stood the ancient Constitution of England.

At the Revolution, the same principle was most directly recognized. It is well known to his Royal Highness, that doubts were, at that time, suggested upon the language of the then existing coronation oath; that the Convention Parliament took into consideration the establishment of an oath which should remove those doubts; that a committee was appointed for this purpose; that

the committee prepared the form of a new oath; that their report upon it was received by the House; that the bill was framed, and the oath inserted in it; that the King was made to swear by it, that "he would govern "the people of the kingdom of England, and all the "dominions thereunto belonging, according to the "statutes in Parliament agreed on, and the laws and "customs of the same;" and that the coronation oath has continued in this form till the present time. While this act was in the House, King William's council had in contemplatian the act commonly called "The Tolera- "tion Act," for the relief of the Protestant Dissenters, which was passed immediately afterwards. A doubt was suggested, whether the King would not be prevented, by the proposed oath, from giving his royal assent to the Toleration Act. The point was debated in the committee; a proviso was framed to remove the doubt, the proviso was debated, and every speaker declared it unnecessary and unconstitutional. "It is," said Sir Robert Sawyer, "the first proviso of the nature that ever was "in any bill; it seems to strike at the legislative "power."—"I am against the proviso," said Mr. Ford: "these words, 'established by law,' hinder not the "King in passing any bill, in the case of Dissenters."— "It is granted by all," said Sir Joseph Tredenham, "that by 'law' is meant what is in the Legislature's "power." The consequence was, that the proviso was unanimously rejected. Might it not be respectfully suggested to his Royal Highness, that what passed in the House of Commons on that occasion, is a complete Parliamentary recognition of all the doctrine which it is necessary for us now to contend for?

III. But let us consider the language of the coronation oath.

This, it might be humbly suggested to his Royal

Highness, forms no objection to the Sovereign's giving his royal assent to any bill like that which is now solicited for the relief of his Roman Catholics subjects.

By the first clause of the coronation oath, his Majesty swears "to govern the people according to the statutes "in Parliament agreed on, and the laws and customs "of the realm." This was evidently meant to denote, not only the statutes, laws, and customs then existing, but those also which should afterwards become part of the national law, in consequence of any subsequent legislation of Parliament.

In the next clause, his Majesty's swears "to main-"tain the Protestant reformed religion established by "law," and to preserve to the bishops and clergy of this realm, and to the churches committed to their care, all such rights and privileges as by law did or should belong or appertain to them or any of them. This could only mean the Protestant reformed religion, the churches, the rights, and the privileges, which from time to time, should, under the actual or any future legislation of Parliament, form the church establishment of the realm.

It might also be submitted to his Royal Highness, that even if the coronation oath should be thought to preclude the Monarch from such a concurrence, it would be no objection to his repealing the laws now solicited to be repealed, as the repeal of these laws will not interfere with the legal establishment of the church, with its hierarchy, with any of its churches, or with any of their temporal or spiritual pre-eminences, rights or privileges.

IV. Hitherto our observations have been confined to the Coronation oath. The attention of his Royal Highness might now be called to a circumstance which is inseparately attached to every oath.

Is it not universally allowed, that in every case where one person takes an oath to another, the person to whom, or in whose favour the oath has been taken, may, at his pleasure, release, either wholly or partially, the person taking the oath from all the obligations to which he bound himself by it?

" The Coronation oath it made to the people, as repre-" sented by Parliament." May I not therefore ask, whether, upon the supposition that the Coronation oath really extends to the present case—(which, however, I must respectfully repeat that it does not)—the people represented by the Parliament, being the persons and the only persons entitled to the benefit of the oath, have not full power and authority to release the Monarch who took the oath, and all his successors, from its obligation?

V. The conduct of his Majesty's august predecessors incontrovertibly shows that they, the Parliament, and the nation, have uniformly construed the Coronation oath in the sense which I have presumed to suggest.

1. Each of the three founders of the Protestant Church of England, Henry VIII. Edward VI. and Elizabeth, swore, at their coronations, to support the Catholic religion as it was then established. Each proscribed that religion, and established another. Can any thing be alleged in defence of those alterations of the national religion by the monarchs who had thus sworn to preserve it, except that their Parliament consented to the change, and that their consent freed the monarchs from the obligations of their Coronation oaths? If this defence was available in those cases, why is it not equally available in the present?

2. I have mentioned, that King William III. in the 1st year of his reign, took the Coronation oath in the present form, and swore by it to defend the Protestant

religion; but almost immediately afterwards he assented to a bill, which altered the oath of supremacy from a positive affirmation of the Crown's ecclesiastical supremacy in this realm, to a negative assertion, that this supremacy was not possessed by any foreign power. This substitution of one oath of supremacy for another, admitted into power, place, and all other civil rights of subjects, a numerous description of persons who, till that time, had been excluded from them. King William's assent to this bill must therefore be considered to be a breach of his Coronation oath, unless our interpretation of it be admitted.

3. At a subsequent time the same monarch took an oath to maintain the church of Scotland, which was at that time Episcopalian; but he soon afterwards made a new settlement of the Scottish church in the Presbyterian form. This was a total alteration of the constitution of the church of Scotland, and only justifiable, in respect to the Coronation oath, by our interpretation of it.

4. When, in the reign of Queen Anne, Scotland was united to England, an oath was formed by the Parliament of Scotland, by which every King was required at his acceseion, to take an oath to preserve the Protestant religion and Presbyterian church government in Scotland. This Act was confirmed by the Act of Union.

Notwithstanding these acts—notwithstanding his own Coronation oath, his late Majesty gave his sanction to the acts of the 18th, the 31st, the 33d, and the 57th years of his reign, for the relief of his English, Irish, and Scottish Catholic subjects. If the pains, penalties, and disabilities, repealed by these statutes were numbered, it would be found that they amounted to more than three-fourths of the whole penal code.

Grateful beyond expression as the Roman Catholics

truly are, for the large extent of relief which these legislative acts of wise policy and beneficence have successively extended to them, they yet presume to inquire what objection can lie, from the Coronation oath, to the repeal of the small remaining number of the penal acts, that did not apply, in some manner at least, to each of these salutary acts of his late Majesty?

It is said that these acts did no more than confer on the Roman Catholics the blessings of toleration; but that the relief now solicited would confer on them political power. Taking for granted, but not allowing, this to be the fact, did not the Act of Toleration admit the Protestant Dissenters of England—did not the Act for the settlement of the Protestant religion in Scotland admit the Scottish Presbyterians to a full participation of political power with his Majesty's other Protestant subjects?—Never did the kingdom abound with abler lawyers—never did the crown possess more able or more constitutional advisers—never was an opposition to the crown more active or more jealous than at the periods in which these laws were passed. Yet, was a murmur of disapprobation of them heard? Was the Coronation oath so much as mentioned?

VI. The claim of Ireland to the relief solicited by the present bill is particularly strong.

1. When Mr. Pitt proposed the Articles of Union to the House of Commons, he thus expressed himself:—"No man can say that, in the present state of things, and while Ireland continues a separate kingdom, full concessions can be made to the Catholics without endangering the state, and shaking the constitution to the centre." Is not this saying that, after the Union should have taken place, full concessions might be made to Ireland without danger?

2. The member who proposed the Union expressed himself in similar terms.

3. Such, also, is the language of the Act of Union. It enacted, "that every of the Lords and Commons of "the Parliament of the United Kingdom, in the first "and every succeeding Parliament, should, *until the* "*Parliament of the United Kingdom should otherwise* "*provide*, take the oaths then provided to be taken," Is not this an explicit intimation that a change of oaths, *after the Union*, in favour of the Catholics, *was then contemplated?* Was not a sure and certain hope of it held out to them by these words? Is it not incontrovertible proof, that all the statesmen who favoured the Union were convinced that Catholic emancipation might be granted, without affecting the Coronation oath?

4. In the debate in the House of Commons on the petition of the Irish Catholics, on Wednesday, the 25th of May 1808, Mr. Elliot thus expressed himself:— "I do not rise for the purpose of entering into any "discussion on the general topic, but in consequence "of what has fallen from my noble friend opposite "(Lord Castlereagh), merely to advert to the circum- "stances of the Union, of which I may be supposed to "have some official knowledge, and of the expectations "held out to the Catholics, in order to conciliate their "acquiescence in that measure. My noble friend has "said, that no pledge was given to the Catholics that "their full emancipation was to be the immediate con- "sequence of this measure, in consideration of their "support. It is true, indeed, that no bond was given "to the Catholics on that point; but there were cer- "tainly expectations, and something like promises, held "out to them, which, in my mind, ought to be more "binding than a bond. So strongly was that idea felt "by my noble friend, and by my right honourable friend

" (Mr. Canning), and by a right honourable gentleman " now no more (Mr. Pitt), that they quitted office " because they could not carry the measure; and when, " upon Mr. Pitt's return to office, he opposed the going " into a committee, it was not from any objection to " the measure, but to the time."

Here, but with all the deference due to his Majesty's advisers, who are supposed to be hostile to the present " bill, is it not lawful for me to ask, " whether, when " so much is said of the Coronation oath, some regard " should not be had to the expectations held out to the " Roman Catholics at the time of the Union; and by " which, most confessedly, their co-operation in that " measure was obtained?"

VII. Strange, however, as after so much has been said on the subject it must necessarily appear, *all this discussion, so far as Ireland is concerned in it, is absolutely superfluous—a mere waste of words.*

The Coronation oath was fixed in Ireland by the 1st of William and Mary. In Ireland at that time, Roman Catholics held their seats and voted in the House of Lords; Roman Catholic commoners were eligible to the House of Commons, and all civil and military offices were open to them. They were deprived of these rights by the acts of the 3d and 4th of William and Mary, and the 1st and 2d of queen Anne. It is most clear, that the Coronation oath can only refer to the system of law which was in force when the act that prescribed it was passed. Now, all the Irish laws meant to be repealed by the present bill are subsequent to that act. To those laws, therefore, or to any similar law, the Coronation oath cannot, with a semblance of propriety, be referred.

VIII. Here, at length, I finish my legal disquisition on this important subject. Permit me to add, that

whatever may be the *opinion* of his Royal Highness upon it, his *wishes* must, I am confident, be favourable to the cause of the Roman Catholics? How many of them have been his companions in arms? What multitudes of them have fought and bled in the service of their king and country? His Royal Highness must know and feel, that his Majesty has no subjects more attached to his sacred person and government; and that, if the hour of danger should arrive (and the horizon is not without clouds that threaten it), there are none whose loyalty would be of greater value, or more to be depended on, than those sought to be relieved by the present bill. With the following historical fact, and one observation upon it, I shall close this discussion.

The chancellor Michel de l'Hospital was the greatest magistrate whom the kingdom of France has produced. "By his conduct," says the President Hénault, "the "conduct of every succeeding magistrate has been "always tried." By his counsels and exertions peace was made between the Catholics and Calvinists, and the latter were admitted to the free exercise of their religious worship, and the full enjoyment of their civil rights. Some selfish leaders of the Calvinists could not conceal the vexation which this edict gave them. "This single stroke of a pen," they said, "is the ruin "of more of our churches, than armies would have "destroyed in ten years." The English having taken the town of Havre, the king and queen mother proceeded in person to the siege, and the Chancellor accompanied them. They were received with acclamations of joy. On one occasion, the chancellor remarked to them the ardour and bravery of the troops in mounting a branch. "Which of them," he exclaimed to the monarch, "are Catholics—which are Protestants? "which are your bravest soldiers, your best subjects?

" All are equally brave and good. This is the effect of " the edict, against which you are cautioned. See how " it re-unites the royal family, restores to us our " brothers, our relations, our friends, and leads us out " hand in hand against our enemy, and makes him feel " how respectable we are for our virtue and power when " united among ourselves!" Might not some friend of the Roman Catholics address his Royal Highness in these very terms? " Favour then," might he not respectfully say to his Royal Highness, " the humble " prayer of the Roman Catholics! Let not the penal " code, which yet remains in force against them, con- " tinue to torment such meritorious subjects. Is not " our excellent constitution a system of comprehension " and humanity? Does it not prescribe, that the " genius, the talents, the valour, the industry, and the " labour of all his Majesty's subjects, should have equal " openings to exertions, equal shares of rewards? This " and nothing but this, your Roman Catholic subjects " petition for. This, and nothing but this, is granted " them by the present bill."

CHARLES BUTLER.

FINIS.

Luke Hansard & Sons,
near Lincoln's-Inn Fields, London.

LETTER

TO

THE DUKE OF NORFOLK,

ON THE

CATHOLIC QUESTION.

BY

R. WILMOT HORTON, Esq.; M.P.

FOR NEWCASTLE-UNDER-LINE.

&c. &c. &c.

LONDON:

JOHN MURRAY, ALBEMARLE-STREET.

MDCCCXXVI.

LONDON:
Printed by WILLIAM CLOWES,
Northumberland-court.

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A LETTER,

&c. &c.

My Lord,

I should have been disposed to offer many apologies for obtruding myself upon the attention of your Grace, were I not satisfied that an explanation of the motive which induces me to address this letter to you will secure your Grace's approbation. I will therefore proceed at once to state to you, that on the 4th of October last, I addressed some observations to my constituents, at the election of the Mayor and other corporate officers, in the borough of Newcastle-under-Line, on the subject of the Catholic Question; and as I shall be obliged to allude to those observations in detail, I have inserted an extract from my speech on that occasion in an Appendix to this Letter *.

If your Grace will do me the favour to refer to it, you will perceive that I have given a pledge that I would afford to my constituents the means of judging for themselves, on the subject of what is called the "Catholic Question;" and you will easily understand how anxious I must be, in the process of redeeming that pledge, to be furnished with

* Vide Appendix A.

every means which will enable me to execute my purpose in the most conclusive and satisfactory manner.

After a very attentive examination, or, I would rather say, revision, of the history of the Catholic Question up to the present moment, I am confirmed in the opinion which I have long entertained, that a measure has been omitted, which, if practicable, would materially tend to the satisfactory settlement of this question, and that this measure can only proceed from the Roman Catholic Body. The measure to which I advert is, *a distinct Explanatory Statement of the Doctrines and Opinions of the Roman Catholics of the present day, so far as such doctrines and opinions can be considered, by the most jealous Protestant, as calculated to affect the exercise of their Civil Duties as subjects.*

Before I make the observations which may be necessary for the developement of the views which I entertain on this important subject, I beg leave to disclaim, on my own part, and on the part of my fellow Protestants who think with me on the subject of what is called Catholic Emancipation, any right whatever, in the practical consideration of that subject, to examine, much less to arraign any points of pure religious faith which the Roman Catholics may entertain, and which are so exclusively of a speculative or doctrinal nature, as to have no reasonable or legitimate connexion with any practical exercise of civil duty or allegiance.

I would propose that such an Explanatory Statement should be expressed with such clearness and pointedness as for ever to preclude the possibility of identifying the real or presumed doctrines and opinions of Roman Catholics at former periods of our history, with those which are entertained by the Roman Catholics of the present day: for of this fact I am convinced to demonstration, that if, in the discussion of this subject, we are to be exposed to an unceasing series of polemical disquisitions upon the character of the past history of the Roman Catholic Body, whole centuries will be found insufficient to reconcile the discordant sentiments, and to allay the irritation, which such disquisition must perpetually excite. I presume to suggest a candid, clear, and distinct statement of Roman Catholic opinions, such as may enable all reasonable men to satisfy their own minds, whether the Roman Catholic Body in England and Ireland entertain any opinions which are not compatible with the purest exercise of loyalty to their King, and fidelity to the British Constitution.

This suggestion of an Explanatory Statement may, perhaps, be answered by a reference to the points which I have enumerated in my address to my constituents, as points upon which the Roman Catholics have long been prepared to satisfy the Protestants by the sanction of an oath, and it may be argued, that further explanation is unnecessary, as those points of themselves comprise every thing that can reasonably be demanded. I should contend, however, that

such an answer was insufficient. The points involved in the oath introduced into Sir Francis Burdett's *Bill* of the last Session, to which I adverted in my address to my constituents, were as follow: First, That the person taking it objected to subscribe the declaration against Transubstantiation, on account of his religious faith alone. Secondly, That he had no objection to take the oaths of abjuration and allegiance. Thirdly, That he objected to the oath of supremacy only on account of the word "spiritual." Fourthly, That he would maintain the Protestant succession to the crown. Fifthly, That he abjured the opinion, that princes excommunicated by the Pope and Council, or by any other authority, may be deposed or murdered by their subjects. Sixthly, that he denied to the Pope any temporal or civil jurisdiction, &c., within these realms. Seventhly, That he abjured any attempt to subvert the Protestant Church Establishment. Eighthly, that he would never exercise any privilege, &c., to the disturbance of the Protestant Religion or Protestant Government in this kingdom. Ninthly, that he made all these declarations in the plain and ordinary sense of the words which conveyed them, without evasion, equivocation, or mental reservation;—and Tenthly, that he denied the power of any dispensation from any quarter to annul the same. It is true that it would be inconvenient, if not impracticable, to include in the terms of an oath any repudiation of such imputed opinions, more direct and forcible than what is to be found in the oaths

introduced into Sir Francis Burdett's Bill, and into former Bills of a similar nature, from which I have extracted the preceding points. But, if an Explanatory Statement were made of Roman Catholic doctrines and opinions, not merely limited to the subjects already specified, (which, however, would be enlarged upon with advantage,) but extended also to other points, of which jealousy may be felt by the Protestants,—the advantage would be gained, of furnishing a repudiation of opinion expressed in far greater detail, and consequently far more satisfactory for its purpose, than the more limited terms, *inseparable from the nature of an oath prescribed by law as an oath of qualification.*

The real practical resistance to the accomplishment of the measure of Catholic Emancipation, is to be found in the distrust and apprehension entertained by the people of England upon the subject; and the only course to be taken by the Roman Catholics, which can lead to the accomplishment of their just object, is to conciliate and (if I may venture to hazard the expression) to instruct the people of England, with respect to the true nature and character of the Roman Catholic Faith, as entertained by the enlightened Roman Catholics of the present day, and to trust to the effect which such a course of proceeding must and would inevitably produce on the minds of that numerous and honourable class of intelligent persons, whose assent is withheld from this measure, not from any doubt of the dangerous and anomalous position in which successive and

imperfect legislation has left the subject, but from a sincere and conscientious dread, that the religious principles of the Roman Catholics remain unchanged, as they existed, or were presumed to exist, at the period when our ancestors barred the gates of the constitution against the professors of that creed. Nor can I conceive that there will be any difficulty in this part of the subject, when I find the following passages in the "Declaration and Protestation of the English Catholics," which was signed in the year 1789, by one thousand seven hundred and forty persons, including several Peers, and two hundred and forty-one Clergymen of the Roman Catholic Religion; and the original of which is deposited in the British Museum *. —"If it were true that *we*, the ENGLISH CATHOLICS, had "adopted the maxims that are erroneously imputed to us, "we acknowledge that we should merit the reproach of "being dangerous enemies to the State; but *we* detest "those unchristian-like and execrable maxims; and *we* se- "verally claim, in common with men of all other religions, "as a matter of natural justice, that we, the ENGLISH "CATHOLICS, ought not to suffer for, or on account of, "any wicked or erroneous doctrines that may be held by "any other Catholics, which doctrines *we* publicly disclaim, "any more than British Protestants ought to be rendered "responsible for any dangerous doctrines that may be held "by any other Protestants, which doctrines they, the

* For the whole of this declaration, vide Appendix B.

"British Protestants, disavow." And again, at the close of their address;—"And we appeal to the justice and can-"dour of our fellow-citizens, whether *we*, the ENGLISH "CATHOLICS, who thus solemnly disclaim, and from our "hearts abhor, the above-mentioned abominable and un-"christian-like principles, ought to be put upon a level with "any other men who may hold and profess these prin-"ciples." The question is not, what were the opinions of the Roman Catholics of 1625, or of 1725?—but, what *are* the opinions of the Roman Catholic Body in 1825?

But there may be Protestants who will contend that the principles and doctrines of the Roman Catholics, as they appear to those Protestants to have been demonstrated at former periods, are essentially indefeasible, and whose minds, accordingly, no repudiation of them, however solemn, will be sufficient to satisfy. With that class of Protestants I confess that I am unable to deal. Their prejudices, I must be allowed to say, are not such as to be counteracted by any process of reasoning. For them no resource remains, but at once to propose the re-enactment of the Penal Laws, which Penal Laws have been progressively repealed, in proportion as the danger from the exiled family of the Stuarts became less, and as public opinion became satisfied that the objectionable doctrines entertained, or presumed to be entertained, by certain Roman Catholics of former ages, were rejected by the Roman Catholics then existing, as doctrines unjustified by the purest profession of the

Roman Catholic faith, and for the authority of which *human opinion only could be cited as a sanction.* The opinions of this class of Protestants must lead them equally to distrust any instance of actual proselytism to the Protestant Faith, by any member of the Roman Catholic Body, as they would distrust any exposition of that Faith professed and made by such individual, had he continued a member of that Body; *for if* the religious opinions of the Roman Catholics be *indefeasible,* genuine proselytism is impossible; and it would be as just to tell the Roman Catholic who had become a Protestant, that it was in vain for him to perform any overt act of conformity, to satisfy the minds of the Protestants that he had really and *bonâ fide* abjured his faith, as it is to tell a Roman Catholic that he cannot make any renunciation of opinion, by word or action, which will satisfy Protestants that he has not a secret reservation and intention of evasion. I would therefore leave that class to the reconcilement of the anomalies which are more or less found to attend the maintenance of *extreme opinions,* to whatever point or subject they may be directed. But, if the present opinions of the rational and intelligent part of the Roman Catholic Body be such as, from much examination of written record, and much conversation with individuals of that faith, I believe them to be,—and if a clear, practical, and satisfactory statement of the doctrines and opinions which they entertain be made,—I cannot, and

will not, believe that many Protestants, who are now to be found in the ranks of the opposers to the concession of the Roman Catholic Claims, as they are called, will hesitate to give their consent to remove disabilities, when they shall be satisfied that the dangers, for the prevention of which those disabilities were imposed, have ceased to exist beyond the contingency of revival.—And if such an Explanatory Statement could be made, and if it were as satisfactory and conclusive as I anticipate it would be, I leave your Grace to appreciate the authority which it would give to me and to other members of Parliament similarly circumstanced, in our communications with our constituents upon the subject. It is fitting that your Grace and the Roman Catholics of England and Ireland should be made fully aware of the difficulties which at present surround those Members of the House of Commons who have conscientiously voted for the concession of the Roman Catholic Claims. I, as one of them, should wish to be relieved from the necessity of uttering one word upon the subject of the proceedings of certain gentlemen professing the Roman Catholic religion in Ireland. Those gentlemen have satisfied their own judgments that the true mode of accomplishing the object of Catholic Emancipation is, to ransack the English language for expressions of contempt, of menace, and of revengeful feeling, instead of applying to it for terms of dignified conciliation and of calm and reasoned remonstrance. They have made their choice: I have no right or wish to impugn

their motives; and I will only assure them that all the efforts which we, the Protestant supporters of the Roman Catholic Claims in the House of Commons, have made, are making, or shall make, for the removal of the misconceptions which we are disposed to believe exist in the minds of our constituents in relation to the subject of these claims, will be not only neutralized but extinguished, if the fate of the measure be to depend, in any sense, upon them and their proceedings. And I, as an individual, am prepared at once to assure your Grace, that if I had reason to believe that the Catholic Body in England, or that a considerable part of the Catholic Body in Ireland, were prepared to support the alternative of contempt and menace, as contrasted with conciliation and argument, I might deeply regret that this question had not been already settled, but I certainly would not exert any practical effort in its favour. So long as such an illusion as that conduct would necessarily imply could generally prevail in the minds of the Roman Catholic Body, I should hold it my duty to remain silent*.

I should think that I acted disgracefully if I were to re-

* Since this Letter has been sent to the press, an Address from the Catholic Association of Ireland to the People of England has been moved by Lord Killeen, and unanimously adopted. This Address differs so essentially in spirit from those documents and discussions which have compelled the unwilling remarks which are introduced in the text, that it would be unfair not to give it publicity. (Vide Appendix C.) *O si sic omnia!*

quire from any Roman Catholic any abjuration of a point of *faith*, strictly so understood;—and as the question is not the endowment of his Church, but the removal of civil disabilities and incapacities, I call upon him only to abjure, (which I am persuaded he will be enabled to do,) in the most unequivocal manner, all such presumed doctrines and opinions as justify us in withholding from him, while we practically extend to other Dissenters, an equal participation in the civil privileges of the Constitution.

Before I approach in detail the subject of the nature and character of the Explanatory Statement which, I humbly conceive, would be so desirable, I would cite the following passage from a speech of Mr. Grattan, in May, 1817:—Mr. Grattan says—"With respect to safeguards, I think it is clear that there is no man, when he procures rights which he considers inestimable, that ought not to give you those securities which, while they do not trench on the Catholic Church, afford strength and safety to the Protestant Religion." I have attentively examined the nature of the safeguards which have been introduced into various Bills, for the purpose of affording strength and safety to the Protestant Religion; and, without presuming to doubt their necessity, or to impugn their construction, it is not to statutable security alone that I look, but to the honour and integrity of the Roman Catholic Body:—for I am prepared to rest my opinion upon this one point,—viz., If a Roman Catholic conscientiously take the oath in Sir Francis Burdett's

Bill, to which I have referred in my address to my constituents, the Protestant has every security that he can reasonably require.

I find an explanation of Roman Catholic faith and opinion, in a publication printed at York, entitled, "The substance of a Sermon preached at the Dedication of the Catholic Chapel at Bradford, in the County of York," so lately as Wednesday, July 27, 1825, "by Peter Augustus Baines, D.D., Bishop of Siga, &c.;" who, I understand, is Coadjutor to the Vicar Apostolic of the Western District, and, as such, entitled to claim authority with respect to the opinions which he may pronounce upon subjects of Catholic faith and opinion*. I refer to this publication, because it is the most recent exposition on these subjects which I have seen, proceeding from a person invested with authority in the Roman Catholic Church. In the conclusion of this address, which appears to have been made in common both to Protestants and Catholics, Dr. Baines addresses the Protestants in the following manner:—"I trust, I have said sufficient to attain, with most of you, the object I had in view; namely, the conciliating of your charity and good will towards your Catholic brethren. I have not attempted to demonstrate the doctrines we profess, but to explain them fairly, and to convince you that they are constantly misre-

* An extract from this Sermon of Dr. Baines, so far as it is explanatory of the doctrines and practices of the Roman Catholic Church, is inserted in the Appendix D.

presented, even by our most respectable adversaries. This *will shew you the necessity, on all occasions, of learning the real doctrines of Catholics from themselves.*" I entirely concur in this opinion; but how are the Protestants to ascertain the real doctrines of Roman Catholics from themselves, unless the Roman Catholics are prepared to make such a clear Explanatory Statement of the nature of the real doctrines of their persuasion, as will leave to no man any doubt upon the subject?

I will suppose that your Grace, and other members of the Roman Catholic Body, will be prepared, conscientiously and solemnly, to avow the opinions which are detailed in this admirable tract of Dr. Baines. I will suppose that Dr. Baines has sufficient authority to be received as an Expositor of such opinions. Will not your Grace at once concede to me the advantage which the supporters of the Catholic Claims will receive, in being enabled immediately to draw their adversaries from general, loose, and vague declamation against Roman Catholic doctrines, as founded upon the asserted evidence of Roman Catholic history, and to bind them down to a consideration of the opinions entertained by the English and Irish Roman Catholics of the present day?

I would here observe, that the Explanatory Statement which I presume to recommend, would rather be a combination and concentration into one focus, of opinions which *have been given*, and which are to be discovered if

due search be made, than a detail of new opinions;—and I must be permitted to express my conviction, that such an Explanatory Statement is not only necessary, but *strictly due*, to the People of England. It is due to them that the orthodox doctrines of the Catholics of the present day should be presented for their examination. If, for the sake of argument, it be admitted that there are discordant opinions to be found in the writings of Roman Catholic Divines, with respect to the interpretation of the doctrines of their religion, and that these Divines have been considered *of equal authority*, why are not the Roman Catholics of the present day to be permitted to state which of those opinions they hold, and which of them they are prepared to repudiate, if, in point of fact, the objectionable opinions have not long since been repudiated.

In answer to this proposal, your Grace will perhaps refer me to the "Declaration and Protestation of the English Catholics" in 1789, to which I have already alluded:—and undoubtedly, that Declaration, made, as itself expresses, "in the plain and ordinary sense of the words of the same, without any evasion, equivocation, or mental reservation whatever," does appear to me to carry with it as much security for the loyalty and fidelity to the Constitution of the parties signing it, as ought to satisfy any reasonable person. But your Grace cannot fail to observe, that this was a disclaimer of imputed doctrines, and not an explanation of actual doctrines. It is expressed negatively, and not affir-

matively. Its object was to meet the direct misconceptions of Protestants of that day, but it left untouched other points of Catholic doctrine, upon which doubt and distrust might possibly arise.

Those persons, who have had to defend, *before the people*, their conduct in supporting this question, well know that the feelings with respect to it, entertained *within* the walls of Parliament, are very different from those which exist without those walls. The anti-catholic constituent, in many cases, cannot understand the temperance with which his representative argues against concession *within the House of Commons*, or why he hesitates to speak out, openly and fearlessly, the keen apprehension which actuates his own feelings, and stimulates his own resistance. He is surprised to hear his representative rest *his* resistance upon hypothetical consequence and conjectural danger, and rather justify his opposition to the concession of the Catholic Claims, on the principle that it is abstractedly safe to maintain things as they are, than upon the ground of distinct apprehension of any probable evils, to come.—If it be inquired, why has this question of Catholic Emancipation not been carried? the answer will be, we must not turn so much to the present circumstances and opinions of the people of Ireland, as to the feelings and opinions (and, I might add, the prejudices) of the people of England. If it be inquired, on what are those feelings and opinions founded? I answer, on a traditionary dread that civil liberty

is incompatible with an entire relaxation of that chain which has so long bound down the Roman Catholic community. Those feelings and opinions are not *now* founded in any jealousy of a rival sect, in an unworthy desire to limit the scope of competition in the career of honourable ambition,—in any unwillingness to part with power for power's sake, or in any disposition to undervalue the advantages which political freedom carries with it, in hope, if not in reality;—but the fears and alarms which those opinions involve, are strictly founded on honest motives and honourable apprehensions, and are *ready to be abandoned*, whenever reason and research shall have superseded the overpowering effects of tradition and of early impression.

In my address to my constituents, I pressed that argument, which always appeared to me to have peculiar force, that the utter absurdity of the proposition, that Catholics do not consider themselves bound by an oath, is to be found in the indisputable fact, that were it not for the conscientious dread of violating an oath, the Constitution *now* presents *no impediment* to the entry of a Catholic into either House of Parliament, or into any office whatever. A long commentary upon this argument of mine is to be found in a leading article of a daily paper of the most extended circulation, and which has always been marked by its decided opposition to the Catholic Claims. I shall omit the argumentative part of this commentary, but I quote the following paragraph, with which the remarks conclude. "We

have always been of opinion, that the more of calm discussion which takes place with regard to this question, the more likely it is to arrive at a satisfactory adjustment; and it is from this feeling that we have ventured to state our opinions upon an argument, *which, if it can be shewn to be valid, would do away with every reasonable objection which a conscientious Protestant can feel upon the subject* *." In other words, could the Protestants be satisfied that all the renunciations of opinion contained in the oath of Sir Francis Burdett's Bill of the last year, were completely real and genuine on the part of the Catholic; and not only real and genuine at the present moment, but that no Catholic, taking that oath, could or would ever feel himself released from the religious and (I might add) honourable necessity, of abiding by it in his most private conduct, or of renouncing it in the most public manner; it would be impossible not to admit that all the objections of conscientious Protestants would be removed. I am persuaded that this opinion is a very general opinion among the Protestants opposed to the Catholic Claims. I should therefore recommend that all possible pains should be taken to satisfy the Protestant mind upon this important point. I am sure that your Grace, and many other Catholics with whom I have the honour of being personally acquainted, would not only feel, but express, that were a Roman Catholic to be now admitted to the privileges of the Con-

* Vide *Courier*, 22d Oct. 1825.

stitution upon the faith of taking that oath,—if, in thought, word, or deed, he ever continued to avail *himself*, for one hour, of those privileges, after his mind had undergone a change as to the doctrines which that oath repudiates, he would not only act impiously as a Christian, but scandalously and dishonourably as a man. This, then, is a point upon which I think the public ought to be instructed by the Roman Catholics themselves.

I would also advert to the various points upon *which* Dr. Baines has pronounced his own opinion, and, I presume, the opinion of every well-thinking Catholic in the community. Why is the authority of Dr. Baines upon this subject to remain unsupported? Why, if this rational and temperate explanation of Roman Catholic principle be one to which your Grace and your fellow Roman Catholic subjects can conscientiously subscribe, why should not the public be informed of such concurrence? Individually, I am entirely satisfied; but the public generally require something more tangible on which to rest their conviction, as they cannot be expected to understand the Roman Catholic maxim in such cases of "qui tacet clamat," and to analyze how far the absence of reclamation on the part of the Roman Catholic Body, of those opinions, expressed by Dr. Baines, ought to be considered as equivalent to a positive approval?

Another question, upon which I conceive it to be absolutely necessary that a much more clear and argumentative

repudiation should be made by the Roman Catholic Body than has ever yet been published, is the question of the presumed claims of the Roman Catholics upon the property of the Protestant church. This question, of necessity, has more practical reference to Ireland; but the principle is the same in both countries. I shall argue it, therefore, as with respect to Ireland, though I am addressing your Grace as an English Roman Catholic. If, for the sake of argument, it were admitted that the Irish Roman Catholic had an inalienable claim upon the property of the Protestant church, it is clear that he would equally have a claim upon any property of which he had been despoiled by any lay proprietor, whether Catholic or Protestant, and which had been forfeited on account of religious opinion. If, therefore, I am asked, Has the Irish Catholic a right, in law or in equity, to couple with the remission of the disabilities that attach to the profession of his creed, the question of the resumption of any property which, at former periods of Irish history, may have belonged to his ancestors, and which they may have forfeited on account of their religious opinions? I answer, unquestionably not; because, though it should be admitted that that spoliation had been founded in injustice, the lapse of time has been so great, that more injustice would be effected by the restitution, than by the continuance of such property in the hands of the present possessors. Nor is this answer weakened, when coupled with the consideration, that many *Catholic proprietors in Ireland are pos-*

a composition of 50*l.* per annum, and that the other, being tithe free, will be let at 500*l.* per annum, he will find no difficulty in receiving 500*l.* in the one instance, when he only receives 450*l.* in the other. In other words, *his own interest* is not equal in these two farms, nor ought it to be so. The rule already laid down will apply to it, that a less sum was paid for the farm subject to tithe than for the other, at the period of their respective acquisition. If these principles be correct, tithes are to be considered as landed property; and can the clergyman be fairly represented to the poor man as an extortioner wresting from him his just earnings, any more than the landlord or the lay impropriator, whether Protestant or Catholic?

To shew how strictly church property is landed property, let me state a hypothetical case. In the year 1823, a Protestant clergyman in the south of Ireland takes his tithe in kind from the Roman Catholic peasant. The peasant is told that he is robbed by the clergyman of a part of *his own property*, for the sake of a religion to which he does not belong; and this information excites in his mind such a spirit of discontent and resentment as is calculated to lead him to the commission of any degree of outrage. I will suppose that in 1824, this tithe in kind had been changed for a fixed composition, that is, a money payment, and that such money payment was paid by the landlord in the first instance, and then claimed by the landlord from the tenant, in the shape of an increase of rent, or even that the money

payment was made by the tenant himself. The Roman Catholic peasant now regards the clergyman with less jealousy; and as the money payment partakes strictly of the nature of rent to his landlord, although he may be perplexed by the operation, he no longer views the clergyman with the same degree of indignation and distrust. Now let it be supposed that in 1825, this money payment was commuted for glebe. In that possible case the peasant would no longer come in contact with the clergyman, any more than with any other landholder; and under that supposed change he would look upon him with the same feelings as he would look upon any other proprietor of land; and if that clergyman (though a Protestant) did his duty, his kindness and benevolence towards the poor in his immediate neighbourhood, whether Roman Catholic or Protestant, would be felt in some measure as gratuitous service, and the impatience of oppression would be replaced or succeeded by feelings of kindness and gratitude. Now, under this supposed change, has any violence been done to the church?

I will not be tempted into a further disquisition upon this part of the subject; and I will not take the opportunity of stating some strongly formed opinions as to the manner in which such commutation might be carried into effect. It is enough for me to have established the principle, that tithes are property; and that whether they are the property of individuals or of a corporate body, no species of complaint can legitimately proceed from those who pay them in their cha-

racter as property, however inconvenient their mode of assessment must necessarily be. But here a third question arises, of such peculiar delicacy, that I should be most unwilling to advert to it, were it not that I consider the argument as incomplete without allusion to its introduction. Have the Irish Roman Catholic Clergy any sort of right, in law or in equity, to prefer a claim to the proceeds of church property in Ireland, or to any part of it, not as disputing the abstract right of the Protestant Clergy to that property, but on the ground that those proceeds exceed the income necessary for the support of the Protestant Church? I answer, unquestionably not, more than any other class of the community. Not more than if such property were to be claimed by the army or the navy, or applied for the liquidation of the national debt, for public improvement, or for any other conceivable purpose, either of utility or benevolence. Here, I think, I may rest the argument, without introducing that which would invidiously prejudice the question, namely, the abstract suitableness of the Protestant Church in Ireland to the Protestant population; for, with respect to that argument, were I even prepared to agree with those who contend that the Protestant Clergy in Ireland, or rather that their revenues, are disproportioned to the amount and purposes of the Protestant population, I should, under the peculiar circumstances of Ireland, be most unwilling to consent to any diminution of their numbers or of their revenue. I should contend that, upon

special grounds, it was desirable to maintain both the one and the other; and I should assert with confidence, that, under the circumstances of the inevitable absence of her principal proprietors, nothing can be more advantageous to her than the residence of Protestant Clergymen, and the expenditure of Protestant ecclesiastical revenue; and if it were possible to effect such a change in the tithe system as would prevent the passions of the populace from being excited by the peculiar character of that kind of property in that country, I think that their residence would be productive of unmixed benefit. That unfortunate ground of dissension being removed, they would conciliate the esteem of their Roman Catholic neighbours, and would not be distinguishable from lay possessors of land, unless it were by a more active discharge of the duties of charity and benevolence. However, in reference to this argument of the disproportion of the Protestant Establishment to the population of Ireland, your Grace cannot fail to remark that, if population be admitted as the unequivocal basis of Church Establishments, the same argument which has been maintained with respect to Ireland, namely, that the establishment generally is disproportioned to the peculiar spiritual wants of the people of that country, might, in some instances at least, be brought to bear abstractedly on particular districts in this country at the present moment, where the proportion of the population, being not Roman Catholic, but Sectarian, may bear the same ratio to the members of the Established

Church, as in the case of Ireland; and therefore it is of peculiar and primary importance that the opinions of the Roman Catholic Body should be unequivocally enunciated upon this point,—that they should disclaim (as they must do) all legal right to the property of the Church, and that they should reject, with the most solemn formality, any equitable right that did not necessarily accrue to them, by the very terms of the proposition, in common with all other classes of the community, should a question ever arise of a new appropriation of any part of that property. For if there be a State religion, and property pledged for the maintenance of that State religion, and it be not deemed expedient to apply the whole of that property for that purpose, it is the State (that is the whole nation) who would have a claim upon the application of that property, if so diverted; but as few men are bold enough to hazard such a proposition, even in theory, it is hard upon the Catholic community that the possibility of its production should press against them, with regard to the possible arguments that may be adopted by some persons in its justification: And therefore I am of opinion, that a solemn disclaimer upon that subject, founded upon a careful analysis of law and equity, and demonstrating, by reference to principle, the impossibility of their ever entertaining a claim so totally unfounded, would be attended with great and just advantage to their cause. I cannot disguise from myself, nor do I wish to do so, that the opinion of the people of England

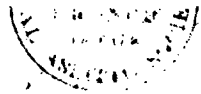
is materially influenced by the opinions of the Protestant Clergy upon the Catholic question. As members of the church corporation, it is their bounden duty to protect and defend that property. That duty which children would have a right to expect from a parent, the future generation of clergy of the Protestant Church have a right to expect from the clergy of the present day. It is, therefore, with reference not only to the present, but to the prospective interests of the Church, that their fears are naturally and legitimately directed. And they have a still higher duty to perform than can be illustrated by any analogy of parent and child,—the duty which they owe to the Divine Founder of Christianity, to maintain that establishment in which are involved the interests of that purer faith which they believe and profess. But if their minds were once satisfied that their religion was still to be the religion of the State, protected as it is by prescription and property, and that no encroachment upon that property could result from the concession of the Catholic Claims, (that is, from the admission of Catholics upon the terms of other Dissenters into the exercise of civil office,) I do in my conscience believe, that much of their opposition would be mitigated for the future; for, as a member of that church, I cannot bring myself to believe that, with that prescription and with that property, and with the consciousness which her followers entertain of her purer form of religious faith, she has any thing to apprehend from the removal of those

civil disabilities which still attach to the Catholics of the United Kingdom.

Another subject upon which it is absolutely necessary that the public should have the most conclusive information, is that of *Divided Allegiance*, as involved in the spiritual supremacy of the Pope. Your Grace may have observed, that I have stated to my constituents, that the sole objection on the part of the Catholics to take the oath of supremacy exists with reference to the word "spiritual." But if I were asked what is the strict meaning which Catholics attach to the word "spiritual," I should find some difficulty in giving that conclusive answer which would enable me to resist any argument that could be founded on the presumption of a divided allegiance.

In the declaration of the English Catholics in 1789, which I have inserted in the Appendix *, I find the following passage:—"We have also been accused of holding, "as a principle of our religion, that implicit obedience is "due from us to the orders and decrees of popes and gene-"ral councils; and that, therefore, if the Pope, or any "general council, should, for the good of the church, "command us to take up arms against Government, or "by any means to subvert the laws and liberties of this "country, or to exterminate persons of a different per-"suasion from us, *we* (it is asserted by our accusers) hold "ourselves bound to obey such orders or decrees, on pain

* Vide Appendix B.



"of eternal fire.—Whereas, *we* positively deny that *we* "owe any such obedience to the Pope and general council, "or to either of them; and *we* believe that no act, that "is in itself immoral or dishonest, can ever be justified "by or under colour that it is done either for the good "of the church, or in obedience to any ecclesiastical "power whatever. And we hold and insist, that the "Catholic Church has no power that can, directly or "indirectly, prejudice the rights of Protestants, inasmuch "as it is strictly confined to the refusing to them a par- "ticipation in her sacraments and other religious privi- "leges of her communion, which no church (as we con- "ceive) can be expected to give to those out of her pale, "and which no person out of her pale will, we suppose, "ever require. And *we* do solemnly declare, that no "church, nor any prelate, nor any priest, nor any assembly "of prelates or priests, nor any ecclesiastical power what- "ever, hath, have, or ought to have any jurisdiction or "authority whatsoever within this realm, that can, di- "rectly or indirectly, affect or interfere with the inde- "pendence, sovereignty, laws, constitution, or government "thereof, or the rights, liberties, persons, or properties of "the people of the said realm, or of any of them, save "only and except by the authority of Parliament; and that "any such assumption of power would be an usurpation."

I will not pretend to say, by resorting to any minuteness of criticism, whether it would be possible to express in

language a more conclusive repudiation of the principle of a divided allegiance, than is to be found in this protest; but it appears to me that those Protestant apprehensions must be extremely keen and acute, which would not be allayed by this clear explanation of that qualified degree of obedience which is due to the orders and decrees of Popes and Councils.

If, however, there are other points not included in the oath prescribed in Sir Francis Burdett's Bill, which the Roman Catholic Body feel and know to be objects of Protestant distrust and apprehension, and which are *indirectly* connected with the range of purely civil duties,—I call upon them spontaneously to afford conclusive information upon them; and I think that the enumeration of such points would be superfluous, if not unbecoming, in a letter proceeding from an individual Member of Parliament, like myself, who has no other justification for this appeal to your Grace and to the Roman Catholic Body, than his anxiety to be enabled to continue his support of what he deems to be a just and necessary measure, by reconciling his constituents to the conduct which he has pursued, and which he intends to pursue.

It is possible that it may be remarked, that the important question of a provision for the Roman Catholic Clergy has not been noticed in this letter. Your Grace, however, will observe that this view of the subject removes the necessity of mixing up that point, in the first instance, with

the consideration of the question of Catholic Emancipation. If an Explanatory Statement of the opinions of the Roman Catholics be made, and be satisfactory to the Protestants, why are we necessarily to analyze and examine the nature of the circumstances belonging to the Roman Catholic Church, any more than to the Church of any other Dissenters from the Established Creed?

I am far from offering an opinion that an arrangement with the Roman Catholic Church would not be desirable. All that I contend for is, that it does not necessarily form a part of the measure of Catholic Emancipation. The Roman Catholic Clergy either do or do not acknowledge the authority of the Pope in spiritual matters. If they do not, it is clear that we need not alarm ourselves with any effect of that spiritual authority. If, on the other hand, they do, it is with the Pope, as Head of the Roman Catholic Church, and with the Pope alone, that I think it becoming for the Legislature, or for the Executive of this or of any other country to negotiate, with respect to the desired interference of the Crown in matters connected with the ministry and external discipline of the Roman Catholic Church. I cannot conceive any plausible pretext, much less any argument, that would justify me in saying that the King of England, as a Protestant Prince, was not entitled to the same degree of reasonable jurisdiction over the Roman Catholic Clergy in his dominions, which is possessed by any other Protestant Prince in Christendom. But, although it

may be expedient that these points should be settled before we approach the question of a legal provision for the Roman Catholic Clergy, or proceed to any thing like a formal acknowledgment of them as a body, they do not, in my mind, affect the more important question of the propriety of removing the disabilities which attach to the Catholic Laity.

Upon the subject of the payment of the Roman Catholic Clergy, I have also one material observation to offer. In voting for a sum of money to be applied for their maintenance, previous to any final and satisfactory arrangement being made, I should not be influenced by any desire of contributing *directly* towards their support. In Ireland, a great proportion of the population are of a religious persuasion, for the maintenance of the spiritual teachers of which no national provision is to be found; and I should contend that, as that Religion was not the religion of the State, there was no necessity whatever that a national provision should be secured for them, or that they should be placed upon a different footing from any other class of Dissenters: —but, as the population professing the tenets of that religion are for the most part poor, and under political circumstances of so peculiar and extraordinary a nature as to make their proportion of contribution for the necessary maintenance of the pastors of their own faith, *a severe and heavy tax upon them*, I am prepared to consider that it is, *in the highest degree, expedient* that the State should in-

terpose, and assist them in the necessary maintenance of the teachers of that religion, whom their own poverty prevents them from supporting by individual contributions.

I now leave the question of an Explanatory Statement of Roman Catholic opinions and doctrines, to turn for a moment to that of Emancipation.

I have heard it remarked, that the measure of Emancipation is of little importance, unless its immediate consequence be the pacification of Ireland and the universal satisfaction of every Roman Catholic, ecclesiastical or lay, in the community. I protest, however, against any participation in such an opinion. Philosophy teaches us, and history establishes the fact, that, in a free country, if a measure be founded in justice, the approbation of the whole, or (which is equivalent) the greater part of the community cannot, by possibility, be long withheld. I should be the last person to imply that the evils of Ireland are exclusively, or even mainly, derived from the delay of what I conceive to be a necessary measure of pacification and justice; but I am convinced that much of the irritation of the public feeling in Ireland would be ultimately, speedily, and completely removed by the remission of Roman Catholic disabilities. It is impossible to approach any political melioration of the State of Ireland, without the intrusion of this question. It requires a final settlement one way or another, as a necessary preliminary to measures of every other class which may be devised for her benefit. In vain do we tell

the Irish Roman Catholic population, with a census of that population in our hands, that the advantages of the concession of their own claims are disproportionably magnified by those who advocate them; that Emancipation is a measure which, in its immediate results, cannot affect one six thousandth part of their numbers, that it is a measure which the ambitious few are stimulating the ignorant many to petition for, and even to demand. The answer is, it is of little importance whether the merits of a concession, demanded on principles of justice, be exaggerated or diminished,—whether the advantages be real or imaginary, present or prospective, general or special;—it is that for which the Roman Catholic population in Ireland are, in fact, unanimous petitioners; it is that which they think they have a right to expect from us on principles of policy as well as of justice; and, under these circumstances, it must be admitted that it is contrary to the nature of things, and to the principles on which human societies are held together, that the inhabitants of a free country should rest satisfied and contented with things as they now are to be found in Ireland.

Certain Protestants are sometimes disposed to contend that too much has already been granted,—that we must entrench ourselves where we are,—and that the Roman Catholics are never to be satisfied. But surely it is most unreasonable to assert that the Catholic is never to be satisfied, because, having received so much, he is still found in

the character of a petitioner. This opinion is most unfair, and contrary to all reason and analogy. In the year 1793, the Roman Catholic forty-shilling freeholder was solemnly told by an Act of the Irish Legislature, "There is nothing in your religion which disqualifies you for the invaluable political privilege of voting for a representative in the House of Commons."—And is it to be endured that the Irish Roman Catholic of 1825 is to be told, that he is the most unreasonable of men, in having expected, and in expecting, that this class of political privileges should be so far increased as to allow him to choose a Roman Catholic Representative, if it should be his disposition to do so? Can any man, capable of following the most simple process of reasoning, or of appreciating the experience of history, hesitate to avow that this petition of the Catholics for liberty to elect a Catholic Representative has not only been encouraged, but created, by an Act of the Protestant Legislature? Can any man hesitate to admit that the measure of 1793 was enacted specially and necessarily to pave the way for those further concessions which its introduction made unavoidable? Had not the Legislature at that period an intelligent course, if not to have originated, at least to have maintained; *viz.*, that of resisting the concession of any *modification* of political power to the Catholic, although they released him from the intolerable thraldom of the penal code? They would then have left the question of the aptitude of the Roman Catholic for the exercise of

political rights as an untried question, to be considered at some future period as a whole and entire question, instead of conceding the more valuable political rights of the two, inasmuch as it is the more generally diffused, and withholding the inferior one under the apology of alarm for dangers which the concession of the greater right has not been found to produce? And does it follow, I will not say as a necessary, but as a probable consequence, that when the Roman Catholic has obtained this completion of a half-granted privilege, he is to press on in demand for some other privilege unshared by his Protestant brother, or of so absurd and preposterous a nature, as to leave no semblance of argument to those who might advocate it; and which, instead of finding a majority of supporters in the House of Commons, would be scouted and shamed into silence, with every mark of reprobation and contempt? Is it true in abstract reasoning, that the concession of one point necessarily engenders the sequence of another? If a neighbour build into our garden, obstruct our view, and even our respiration, does it follow that the removal of this intrusive building would be succeeded by a restless and insatiable wish of possessing the house of that neighbour, and so on in interminable succession? Human wishes are not of that hydra-headed character, that when one is removed, another is destined necessarily to succeed. Rational hopes may be awakened and encouraged, and those hopes may be partially satisfied; but the laws of human nature forbid that

there should be retrogression in such a series. There may be retrogression in the effort employed, but not in the desire felt to obtain the object.

However I might be tempted to enlarge upon this and other topics, I shall now prescribe to myself an immediate conclusion. It is necessary that a more than common effort should be made to set this question at rest one way or another, and to relieve it at least from that aggravation of difficulties which has attended its formal and annual discussion for so many years. I care not whether emancipation be for the moment popular or otherwise. If we emancipate the Roman Catholics, not on exclusively-Catholic or exclusively-Protestant principles, but on principles of policy, and justice, our legislation may not, perhaps, be sanctioned by the applause of the moment, but being founded on the immutable principles of truth and reason, it will ultimately prevail.

I am anxious that such an Explanatory Statement should be presented to the Protestant Public as would give their reason free scope to act, and their apprehensions to concentrate themselves. They have no right to doubt the good faith of the Catholic of the present day, in taking the oath proposed in Sir Francis Burdett's Bill of the last Session, because it may be shewn that there were Catholics in the year 1725, who would not have been prepared to take a similar oath. A faithful subject of the exiled family could not, and would not, have sworn fidelity to a monarch

of the House of Hanover. His political allegiance operated on his religious faith. The triumph of his faith was involved in the restoration of the Stuarts. These were the dangers that appalled our ancestors, and such were the parents of the Penal Code. But can similar apprehensions be entertained with reason in the present day? The race of the Stuarts is in the grave. Their dynasty has passed away—and public opinion has trampled under foot the doctrines of passive obedience and the divine right of kings. Are the opposers of concession alarmed at the temporal power of the Pope of the present day? Even if they were, the danger is so unreal and improbable, that they would be ashamed to confess it. As well might they feel apprehension that the morass and the forest would re-assume their ancient domain in the cultivated fields of England. As well might they expect that Druidical rites would again be celebrated in wild solemnity, as suppose that those days will again recur, when whole nations, steeped in ignorance, crouched in mysterious awe under the anathemas of the Vatican,—when the Gregorys and the Innocents alternately grasped the crosier and the sword, and when the tide of human ambition polluted the pure springs of Christian faith, until they were filtered and refined at the period of the Reformation. When, therefore, I consider the total absence of those substantive dangers which alarmed our ancestors, and which induced them to forge (as Mr. Burke says) "the firm, well-rivetted fetters of conquest, locking into one another,

and stretching down the captive giant to the floor," I feel justified in the conviction, that one well-directed and consistent effort on the part of the Roman Catholic body, to disarm the remains of Protestant jealousy and distrust with respect to themselves, would be sufficient to admit the settlement of this question, in that manner which Mr. Pitt contemplated, when, in the year 1805, he thus expressed himself:—"I thought that such concessions might have been granted by an United Parliament, under such guards and securities for our Civil and Ecclesiastical Constitution, as would entirely remove the danger which many apprehended might arise through so great a departure from the policy of former times, as would render the boon safe to the country, effectual to those who received it, innocent to those by whom it was conferred, and conducive to the strength, unanimity, and prosperity of the Empire. Such were my sentiments formerly, *such are they now.* If, from a concurrence of circumstances, it were expedient now to grant them, and if by a wish I could carry such a measure into effect, I am ready to confess that I see no rational objection."

If, therefore, I had any authority, I would presume to call upon your Grace, and upon the enlightened Roman Catholics of England; but, above all, I would call upon the enlightened Roman Catholics of Ireland, to concur in some measure of this nature. I may be told, that no authority but that of the Pope and a General Coun-

cil is competent to produce an AUTHORITATIVE *exposition* of Roman Catholic opinions, and that there is nothing to prevent the withdrawal of any informal exposition at any future period. It is not, therefore, to such an authoritative exposition that I advert. Of the difficulties which may attend its production I am ignorant. Nor do I conceive that such an exposition is necessary to justify the support of the Catholic Question in Parliament, for I am already satisfied, *as every man who has voted for the removal of Roman Catholic disabilities must be*, that no Roman Catholic Layman would have taken the oath prescribed in Sir Francis Burdett's Bill, in any other than a conscientious spirit; and if he had so taken it, I cannot imagine any possible evil contingent upon his accession to a seat in either House of Parliament, and to eligibility for office, (for it is no more,) which can sustain the comparison of a moment with that host of evils and dangers which have attended, and must attend, the delay of the settlement of this question. But although, on these grounds, I do not presume to call on the Roman Catholic Body for an AUTHORITATIVE *exposition*, I call on them for that *practical information* which is due, not only to the Protestants of this country, but to themselves, and to the doctrines of the religion which they profess. And if there be Roman Catholics in Ireland, whose impatience under restraint permits them not only to derive but to express gratification from the momentary embarrassments of this country, I call upon them to consider whether it be not more wise and more worthy to instruct

and explain, than to vilify and to exasperate. I call upon the Roman Catholic Body to explain; because a clear, candid Explanatory Statement of their doctrines, as I believe them to exist, cannot fail to dissipate Protestant misconception, and thereby to allay Protestant distrust, and awaken Protestant confidence. Eloquence and argument have exhausted themselves in the prodigality of discussion which has attended this question within the walls of Parliament:—but, (as I have already said,) it is to the people without, and not to the representatives within, those walls, that a final and conclusive appeal must be made. I have not forgotten the opposition to this question in the House of Lords; but if the people become more reconciled to this necessary measure of policy and justice, the House of Lords, which reflects the progressive changes of public opinion with fainter and slower shadow than the House of Commons, cannot and will not long persevere in its dissent;—for it must be remembered that public *opinion* will be frequently found to advance steadily in one course, at the very period when the stream of popular *prejudice* sets in with the greatest violence in an opposite one. The one is the offspring of passion and impression; the other of reflection and reason. It is the business of the Statesman to distinguish the one from the other, and to appreciate their relative importance.

I wish, therefore, to be enabled to submit to my constituents a full explanation of Roman Catholic doctrine and

opinion, as maintained by the Roman Catholics of Great Britain and Ireland. I wish such an explanation to proceed from themselves, and that it should be candid and unreserved, so as to present an authentic and unassailable source of information. To such an explanation, a conclusive appeal might be made, when, in justification of a course of political conduct, it becomes necessary to demonstrate that there are no principles involved in the profession of the Roman Catholic religion, which make it expedient that civil disabilities should continue to attach to the Roman Catholics of the United Kingdom. But, at the same time, I request your Grace to understand that, should difficulties, whether inherent or extraneous, occur in the execution of this suggested purpose, or should my recommendation be considered as not sufficient to justify its initiation, I shall be satisfied in having done my duty in suggesting it, and shall be equally prepared to persevere in the support which I have uniformly given to the concession of the Roman Catholic claims, under the deep-rooted conviction that such concession would be eminently "conducive to the strength, unanimity, and prosperity of the British Empire."

I have the honour to remain,

Your Grace's most

Obedient humble Servant,

R. WILMOT HORTON.

APPENDIX

APPENDIX.

A.

Extract from a Speech, addressed by Mr. WILMOT HORTON *to the Electors of Newcastle-under-Line, on the 4th of October*, 1825.

"I WILL not disguise from myself, that there is one subject on which I have had the misfortune to differ in opinion from many of my constituents; and it is on that subject that I am most anxious to take this opportunity of explaining my sentiments. You will easily understand that I allude to the vote which I have given in favour of the measure which is generally described as that of 'Catholic Emancipation.' Whether that be a correct expression or not I will not pause to inquire; nor will I, in any degree, pretend to assert that you have not a perfect right to call me to account for this or any other vote which I may have given. All that I request (and this, I will presume to say, I think equally due to yourselves and to me,) is, that you should avail yourselves of every means in your power of understanding the nature of that question, upon which it is my misfortune to differ in opinion from some of you; that you should not be led away by any general declamation against the course which I, in common with some of the first and best men in this country, of the present as well as of past times, have

felt it my duty to pursue; but, on the contrary, should take pains to understand the real considerations which have influenced my vote. I have already expressed my conviction, how desirable it is that means of education should be amply furnished to the lower classes of society; *and I pledge myself that, before that period shall arrive, when it may be proper that I should personally claim your suffrages, I will give every man, woman, and child, within this borough, who is able to read, the means of judging for themselves on the subject of what is called 'the Catholic Question.'*

"It is quite impossible, in the course of an address made to you on such an occasion as the present, for me to enter into any minute explanations on the subject; but there are a few points to which I shall take this opportunity of adverting, for the purpose of shewing you how necessary it is to look carefully into this question before any opinion can justly be formed upon it; and I feel satisfied, that it is only requisite to afford you the means of information with respect to this measure, to convince you that, in many points, its nature and object have hitherto been but imperfectly understood.

"It is sometimes asserted that the concession of the Catholic Claims is a measure of such decided innovation, as to hazard the safety of the country in Church and State, and to place our civil liberties in danger. But we have only to compare what has been done during the reigns of his late and of his present Majesty, with what is still proposed to be done, to satisfy ourselves that, if such consequences are the result of any measures, they will be attributable rather to the points which have

already been conceded, than to those which remain unsatisfied.

"I will venture to say, that there are few among you who have any conception of the disabilities which attached to the Irish Catholics at the commencement of the reign of George the Third. At the commencement of that reign, the Irish Catholic could not legally hold any civil office; he could not hold any military office; he had not the privilege of voting at elections; he could not be admitted into any corporation; he was not allowed to practise the profession of the law; he was equally prohibited from practising that of physic; a younger brother of a Catholic family, who became a Protestant, had the power of depriving the elder brother of his birthright, as derived under the laws of primogeniture, by claiming a portion of the paternal estate for himself; any child of a Catholic parent, becoming Protestant, could deprive his father of a portion of his property, by compelling him to furnish 'a liberal provision for him;' a Catholic was incapacitated from holding freehold lands; he was equally unable to hold leasehold lands; and any Protestant could, by the payment of five pounds, legally obtain possession of the horse of his Catholic neighbour.' Such was the state of the law at the commencement of the reign of George the Third; and yet, in every individual point which I have cited, concessions have been made, and these laws are no longer in existence. All, or almost all, that now remains to be conceded, is the permission to the Catholics to sit in either House of Parliament, and to be eligible for a few offices, from which they have been hitherto excluded.

"It is necessary to explain to you, that the object in imposing these disabilities was, to tempt the Catholic to reject the faith of his ancestors, by subjecting him to the persecution to which the disabilities exposed him. This system, so unjustifiable in principle, and so impolitic in practice, was found to be not only unavailing, but calculated to produce the very reverse of that which it was intended to effect. Now, when we are told of the 'portentous' change of policy, which this 'Catholic Question' (as it is called) is to carry into effect, I call upon you to compare the concessions which have already been made, with those that are still sought for, and to ask whether the demerit of concession rests with ourselves, or with those who have preceded us; above all, to consider whether that which is now asked for is just and necessary to be granted, under due qualifications and protections, and whether it is possible to stop where we are. All of you well understand the important privilege of exercising the elective franchise. Catholic freeholders in Ireland, in common with you, possess that important right, by an Act passed in 1793; and do you think that it is so preposterous on their part to express a wish, that having been thought worthy to receive the privilege to elect, they might also receive the privilege to be elected?

"I request you to understand me, that if I conceived that there was any danger, in this additional concession, to the Protestant Church or to the State, no precedent of former concession would, in any degree, reconcile me to the measure; but on the contrary, I *believe* that the interests of both would be confirmed by such a measure. Allow me to ask, when you are

told, that to admit a Catholic into the House of Lords, or the House of Commons, would be to endanger the Constitution, are you aware, that in 1817, the law was repealed, which would have prevented any Catholic from obtaining the supreme command of any army in the service of his country? Are you aware that, in point of fact, *no law operates at the present moment, to prevent His Majesty from appointing a Catholic Officer to command his fleets and armies*, more than it does, should it be his pleasure, to appoint any other Dissenter from the Established Church? And can you reconcile to yourselves the belief, that it is safe for the Constitution to intrust such extreme power in the hands of a Catholic, on whose conduct, in a single engagement, the destinies of his country may rest, and yet, at the same time, that it would be so dangerous to allow him to take a single position among many in the Houses of Parliament, or, that he would be disposed there, more than in the field, to act with disloyalty to his king, and to break faith with the Constitution of his country?

"Allow me further to ask, are you aware, when this measure of 'Catholic Emancipation' is discussed, as if it were some general measure, involving much material change and complication of circumstance, that the sole reason which prevents the Catholic from taking his seat in Parliament, is his unwillingness to make a certain declaration, and to take a particular form of oath, which, as a Catholic, with reference to the spiritual part of his religion, it is impossible for him conscientiously to take? If, therefore, you have ever heard it asserted, that Catholics do not consider themselves bound by

their oath, you will find the utter absurdity of such a proposition in the indisputable fact, *that were it not for the conscientious dread of violating an oath, the constitution now presents no impediment to the entry of a Catholic into either House of Parliament, or into any office whatever.* If a Catholic, at this time, were to present himself at the table of the House of Commons, he would be required to subscribe to a declaration against transubstantiation, which declaration was directed to be subscribed at a period when it was a material object, on political grounds, to ascertain the fact of the religion of the party; but that declaration merely relates to a mystical principle of religion, having no relation to, or connexion with, the civil conduct of the party professing it. You have to-day heard the mayor read the oath of abjuration. A Catholic has not the slightest objection to take that oath. He is perfectly prepared, also, to take the oath of supremacy, if you will only except the denial of the authority of the Pope in matters purely spiritual and limited to his own church. I beg not to be understood as in the slightest degree arguing in favour of the Catholic religion, or as placing it on a par with that pure system of faith which it is our good fortune to profess; but, if it be a part of a Catholic's faith to allow the supremacy of the Pope in spiritual matters, whilst at the same time he disclaims that supremacy, by every form of words that ingenuity can invent, with respect to temporal matters, I do not see any reason why the professors of that faith should be for ever disqualified from partaking of the privileges of the constitution.

"Do not suppose, however, for one moment, that I am

prepared to support any general system of emancipation, which does not call upon every individual partaking of its benefits, to give the most unequivocal assurance that he is prepared to exercise every duty of loyalty and fidelity to his country, that can or ought to be imposed upon a subject. I would permit no man to escape from the impediments which the existing tests offer to his admission into parliament, or into the exercise of civil office, who would not be prepared to satisfy my mind, under the sanction of an oath, (of the solemnity of which sanction in his case, I have, for the reasons already assigned, no possible justification to doubt) that he objected to subscribe the declaration against transubstantiation; on account of his religious faith, and of his religious faith alone, and that he had no objection to take the oaths of abjuration and allegiance; who did not satisfy me that his objections to the oath of supremacy only existed on account of the word 'spiritual;' who did not profess his loyalty by every term that could assure me of the reality of his feeling;—who would not be prepared to swear that he would maintain the Protestant succession to the crown;—who would not swear that he abjured the opinion that princes, excommunicated by the Pope and Council, or any authority of the see of Rome, or by any other authority whatsoever, may be deposed or murdered by their subjects;—who would not swear that he denied to the Pope any temporal or civil jurisdiction, power, superiority, or pre-eminence within these realms;—who would not swear that he disclaimed, disavowed, and solemnly abjured, any attempt to subvert the

Protestant Church Establishment;—who would not equally swear, never to exercise any privilege to which he might become entitled, to the disturbance of the Protestant Religion or the Protestant Government in this kingdom; or who would hesitate to swear that he made all these declarations in the plain and ordinary sense of the words which conveyed them, without any evasion, equivocation, or mental reservation whatever; or who would not deny, on oath, the power of any dispensation from any quarter to annul the same. As I have already said—if a Catholic be prepared to swear to this effect, I can have no right to suspect his oath, when I know that it is only from his unwillingness to violate the sanctity of an oath, that he is at this moment prevented from obtaining all the objects which any measure of emancipation can by possibility confer upon him. But above all, understand me, when I repeat, that if any Catholic be not prepared to go this length, I am not prepared to extend any emancipation to that Catholic, be he who he may.

"I thus have not hesitated, fearlessly, but respectfully, to inform you of the nature of my sentiments. I am well aware that I should, in some sense, appear to consult my interest, were I to sacrifice my opinion upon this subject, in deference to the indisposition which some of you avow towards any future remission of Catholic disabilities; and this being the only point on which I feel that I am in the least at issue with any of my constituents, it might be a temptation to me to make that sacrifice, were I not satisfied that you ought to have a better opinion of me, for maintaining and acting upon my real

opinion, although that opinion may not be in unison with your own.

"At present, you are aware that, in the House of Commons, there is a majority in favour of the measure of Catholic Emancipation. But if every member who thinks as I do is to be rejected as a candidate, because he ventures to think that concession may be extended to his Catholic fellow-subjects, under the precautions which I have described,—do not disguise from yourselves that evils might ensue, of the tendency and extent of which you are, perhaps, but little aware. The loss of our trade with Ireland, in which there are those among you who are engaged, might possibly not be the greatest evil we should have to deplore, if any thing were to occur which should seriously interrupt the peace and growing prosperity of that country.

"I have requested you most earnestly to think for yourselves on this subject: I have pledged myself that you shall have the means of adequate information upon it. You are aware that men of opposite parties, agreeing on no other point whatever, have been found to concur absolutely and entirely as to the policy and propriety of Catholic Emancipation, as it is called; and I ask you, if, among yourselves, where party-spirit exists, any one opinion could be stated, in which men of opposite parties agreed, though differing in all other respects, whether that circumstance would not incline you to think that there must be something remarkable in that opinion, requiring your attentive examination, and not your hasty and contemptuous rejection?

"I will not trouble you more on this subject, than by assuring you that if, after due consideration, any of you shall be disposed to withhold your support from me, on account of my vote on this question, however greatly I shall lament the circumstance, I shall console myself with the reflection that I have conscientiously discharged my duty."

B.

The Declaration *and* Protestation *signed by the* English Roman Catholics, *in* 1789.

We whose Names are hereunto subscribed, Catholics of England, do freely, voluntarily, and of our own accord, make the following solemn Declaration and Protestation.

Whereas sentiments unfavourable to us, as citizens and subjects, have been entertained by English Protestants, on account of principles which are asserted to be maintained by us and other Catholics, and which principles are dangerous to society, and totally repugnant to political and civil liberty; it is a duty that we, the English Catholics, owe to our country, as well as to ourselves, to protest, in a formal and solemn manner, against doctrines that we condemn, and that constitute no part whatever of our principles, religion, or belief.

We are the more anxious to free ourselves from such imputations, because divers Protestants, who profess themselves to be real friends to liberty of conscience, have, nevertheless, avowed themselves hostile to us, on account of certain opinions which we are supposed to hold. And we do not blame those Protestants for their hostility, if it proceeds (as we hope it does), not from an intolerant spirit in matters of religion, but from their being misinformed as to matters of fact.

If it were true, that we, the English Catholics, had adopted

the maxims that are erroneously imputed to us, we acknowledge that we should merit the reproach of being dangerous enemies to the state; but we detest those unchristian-like and execrable maxims: and we severally claim, in common with men of all other religions, as a matter of natural justice, that we, the English Catholics, ought not to suffer for or on account of any wicked or erroneous doctrines that may be held by any other Catholics, which doctrines we publicly disclaim, any more than British Protestants ought to be rendered responsible for any dangerous doctrines that may be held by any other Protestants, which doctrines they, the British Protestants, disavow.

First, We have been accused of holding, as a principle of our religion, that princes excommunicated by the Pope and council, or by authority of the see of Rome, may be deposed or murdered by their subjects, or other persons.

But, so far is the above-mentioned unchristian-like and abominable position from being a principle that we hold, that we reject, abhor, and detest it, and every part thereof, as execrable and impious; and we do solemnly declare, that neither the Pope, either with or without a general council, nor any prelate, nor any priest, nor any assembly of prelates or priests, nor any ecclesiastical power whatever, can absolve the subjects of this realm, or any of them, from their allegiance to his Majesty King George the Third, who is, by authority of Parliament, the lawful king of this realm, and of all the dominions thereunto belonging.

Second, We have also been accused of holding, as a prin-

ciple of our religion, that implicit obedience is due from us to the orders and decrees of Popes and general councils; and that, therefore, if the Pope, or any general council, should, for the good of the church, command us to take up arms against government, or by any means to subvert the laws and liberties of this country, or to exterminate persons of a different persuasion from us, we (it is asserted by our accusers) hold ourselves bound to obey such orders or decrees, on pain of eternal fire.

Whereas, we positively deny that we owe any such obedience to the Pope and general council, or to either of them; and we believe that no act that is in itself immoral or dishonest can ever be justified by or under colour that it is done either for the good of the church, or in obedience to any ecclesiastical power whatever. We acknowledge no infallibility in the Pope; and we neither apprehend nor believe that our disobedience to any such orders or decrees (should any such be given or made) could subject us to any punishment whatever. And we hold and insist, that the Catholic Church has no power that can, directly or indirectly, prejudice the rights of Protestants, inasmuch as it is strictly confined to the refusing to them a participation in her sacraments and other religious privileges of her communion, which no church (as we conceive) can be expected to give to those out of her pale, and which no person out of her pale will, we suppose, ever require.

And we do solemnly declare, that no church, nor any prelate, nor any priest, nor any assembly of prelates or

priests, nor any ecclesiastical power whatever, hath, have, or ought to have, any jurisdiction or authority whatsoever within this realm, that can, directly or indirectly, affect or interfere with the independence, sovereignty, laws, constitution, or government thereof; or the rights, liberties, persons, or properties of the people of the said realm, or of any of them, save only and except by the authority of Parliament; and that any such assumption of power would be an usurpation.

Third, We have likewise been accused of holding, as a principle of our religion, that the Pope, by virtue of his spiritual power, can dispense with the obligations of any compact or oath taken or entered into by a Catholic: that, therefore, no oath of allegiance, or other oath, can bind us; and, consequently, that we can give no security for our allegiance to any government.

There can be no doubt but that this conclusion would be just, if the original proposition upon which it is founded were true; but we positively deny that we do hold any such principle. And we do solemnly declare, that neither the Pope, nor any prelate, nor any priest, nor any assembly of prelates or priests, nor any ecclesiastical power whatever, can absolve us, or any of us, from, or dispense with, the obligations of any compact or oath whatsoever.

Fourth, We have also been accused of holding, as a principle of our religion, that not only the Pope, but even a Catholic priest, has power to pardon the sins of Catholics at his will and pleasure; and, therefore, that no Catholic can possibly give any security for his allegiance to any government,

inasmuch as the Pope, or a priest, can pardon perjury, rebellion, and high treason.

We acknowledge also the justness of this conclusion, if the proposition upon which it is founded were not totally false. But we do solemnly declare, that, on the contrary, we believe that no sin whatever can be forgiven at the will of any pope, or of any priest, or of any person whomsoever; but that a sincere sorrow for past sin, a firm resolution to avoid future guilt, and every possible atonement to God and the injured neighbour, are the previous and indispensable requisites to establish a well-founded expectation of forgiveness.

Fifth, And we have also been accused of holding, as a principle of our religion, that 'no faith is to be kept with heretics;' so that no government which is not Catholic can have any security from us for our alliance and peaceable behaviour.

This doctrine, that 'faith is not to be kept with heretics,' we reject, reprobate, and abhor, as being contrary to religion, morality, and common honesty; and we do hold and solemnly declare, that no breach of faith with any person whomsoever can ever be justified by reason of, or under pretence that, such person is an heretic or an infidel.

And we further solemnly declare, that we do make this Declaration and Protestation, and every part thereof, in the plain and ordinary sense of the words of the same, without any evasion, equivocation, or mental reservation whatsoever.

And we appeal to the justice and candour of our fellow-citizens, whether we, the English Catholics, who thus solemnly disclaim, and from our hearts abhor, the above-mentioned

abominable and unchristian-like principles, ought to be put upon a level with any other men who may hold and profess those principles ?

[The above Declaration and Protestation was signed by 1749 persons, including several Peers, and 241 clergymen of the Catholic religion.]

The original is deposited in the British Museum.

C.

ADDRESS *moved by* LORD KILLEEN, *and unanimously adopted—from the* CATHOLIC ASSOCIATION *to the* PEOPLE OF ENGLAND.

"FELLOW SUBJECTS,

"A YEAR has not elapsed since we felt ourselves called upon to address you, in order to expose to you the situation in which we were placed, by the existing laws of the State, and to remove any erroneous impressions which might have prevailed amongst you, with respect to our civil and religious principles and objects.

"We hoped to excite in you a general sympathy in the wrongs of those who are subjects of the same King, and supporters of the same Constitution as ourselves. But we observe that the utmost efforts appear to have been made to revive in your minds religious prejudices against us, and thus to engage you in a general opposition to the measure commonly described, Catholic Emancipation.

"You, the People of England, have been told, that the principles of Roman Catholics must ever lead them to attempt the subversion of a Protestant Government, and the enslavement of a Protestant People; and the measure of Catholic Emancipation is one calculated to confer on Catholics, not freedom, but power; that it is fraught with the utmost danger to the Con-

stitution both in Church and State, and that all Protestants who value civil and religious liberty are bound to oppose it, and to perpetrate the state of political thraldom in which we are placed by the present state of the laws.

"We, therefore, feel called upon to declare, that we yield to no class of our fellow-subjects in affectionate loyalty to our Sovereign, and dutiful obedience to the laws, in attachment to the liberties, and zeal for the honour, of the British Empire.—Far from desiring to alter the great principles of the constitution, our object is to participate in the civil benefits which it confers upon all other classes and denominations of our fellow-subjects. Far from meditating the overthrow or destruction of the Protestant Government and Protestant Establishment of the empire, we are ready to swear, as we already do swear, to support, &c. &c.

[*Here follows the Oath of Allegiance.*]

"We are accused of holding a divided allegiance; we are called upon to contribute to all the exigencies of the state, and we are deprived of every honour that belongs to it; we are accused of intending to overthrow the Church Establishment, whilst we contribute to uphold its splendour and its power. We are told that our oaths are of no avail, at the same time, that we cannot either enjoy or bequeath our hereditary property without being obliged to take oaths of the most positive and unequivocal nature. We confidently ask our Protestant fellow-countrymen, whether our conduct in every situation of honour and confidence, civil or military, in which we are or

can be placed, our actions have not been according to those our professions, and, above all, we appeal to our refusal to take those tests, by which alone we are excluded from the franchises which we seek, as a triumphant refutation of the calumny, that we hold oaths taken to a Protestant Government to be null and void, or that any authority in our Church has power to absolve us from them.

"In a country in which we form the great body of the people, we are by law rendered a separate and proscribed people. A nation we may call ourselves, amounting to several millions of souls, comprising amongst us all orders and degrees,—we are utterly excluded from all participation in the making of laws by which we are bound—in the granting of taxes which we pay—in the administration of that justice through the supreme courts of the realm, upon the impartial, proper, and unprejudiced execution of which all our security for liberty, property, and even life, depends. A nation so situated is not free; a nation bound by laws made by Parliament, from which every individual in that nation is excluded, is not free; a nation obliged to pay taxes and contributions, voted by an assembly, from which every individual of that nation is excluded, is not free; a nation to which justice is administered by a bench, from which every individual of that nation is excluded, is not free.

"If you were placed in our situation—if you (our Protestant fellow-subjects) were told that you were to be governed by laws, in the making of which you should have no controul, that no Protestant Englishman should have a voice in the im-

posing of those taxes which he must pay; that no Protestant Englishman shall sit upon that bench of justice, by which every right that is valuable to him should be decided—would you, would the Protestant Gentleman, quietly submit to such a state of servitude, with calmness, patience, and forbearance? No; neither can we.

"But do we desire power over you or the British people—do we desire that the Crown, which possesses the whole executive power of the state, should be Catholic, not Protestant? No; we desire only that a Protestant Sovereign may be enabled by law to employ such Catholics as may deserve his confidence in high civil, as he may now in the highest military offices. So with respect to Parliament, what we desire is, that those Peers who may profess the Catholic Religion should be qualified to sit and vote in the House of Lords, as Peers of any other Religion now do; and that the Electors of the Empire may have the power of returning to the House of Commons such Catholics as they may think deserving of trust or favour. If, therefore, our prayer were granted, as the great body of the Peers is Protestant, as the great body, both of the electors and of those to be elected, is Protestant, the two Houses would still continue essentially, though not exclusively, as they are now, to our degradation, Protestant.

"We have now, fellow-subjects, laid before you our feelings, our principles, and our objects. We invite you, by the golden rule of Christianity, which commands all to do as they would be done by, to do unto us as you would wish, were you in our situation, and we in yours, that we should do unto you; we

call upon you by the love of liberty and attachment to justice, to co-operate with us in our efforts to obtain constitutional freedom, that we may be rendered not only your fellow-subjects, but your fellow-freemen. When this wished-for consummation takes place, then may we hope to see Ireland become what the bounty of Providence would have enabled her to be, but unequal laws have prevented her from becoming, happy and prosperous in herself, and an increasing source of strength and greatness to Great Britain; then may we hope to see religious jealousies and dissensions extinguished here, as they have been by similar measures in other countries; then may we hope to see the whole of his Majesty's subjects rendered one people, bound together by common rights and liberties, producing reciprocal confidence and affection, in support of his Majesty's Crown, and the general welfare, happiness, and glory of the empire."

D.

Extract from a SERMON, *preached at the Dedication of the Roman Catholic Chapel at Bradford, in the County of York, on Wednesday, July* 27, 1825, *by* PETER AUGUSTUS BAINES, *D.D., Bishop of Siga, &c.*

We see, now, through a glass in a dark manner; but then face to face. Now I know in part; but then I shall know, even as I am known. And now there remain faith, hope, charity, these three; but the greatest of these is charity.—1 Cor. xiii. 12, 13.

IN these words, my Christian brethren, the apostle speaks of the natural blindness of man respecting religion. He teaches, that whilst we live in this lower world, encompassed with clouds and darkness, we see faintly and obscurely the things that are above; that the revelations made to us respecting a future world, are often wholly above our comprehension, and generally full of mystery and difficulty; that we shall never be able fully to comprehend them, till the veil is drawn aside by death, and we behold God face to face, in whom, as in a clear mirror, all truth and all knowledge will be found.

In the mean time, there remain for our exercise three virtues, faith, hope, and charity, which united, form an epitome of the whole duty of a Christian, each of which is commanded and necessary; but the first, the greatest, the most excellent and the most indispensable of which is charity.

Faith serves as a remedy for our natural defects, and sup-

plies the place of knowledge. It teaches us to believe, without doubting, doctrines which we cannot comprehend, on the testimony of God, who has taught them. It teaches us to put a restraint on the daring flights of reason, and to confine within its proper limits this noblest of our natural gifts; to employ it in examining the grounds upon which revelation rests, but not in discussing the credibility of any subject which it discovers to have been revealed; to wait with patience till our faculties are enlarged, and the obstacles to our knowledge removed, and in the mean time, with the humility and simplicity of children, to receive, venerate, and love the hidden and mysterious truths taught us by the invisible and incomprehensible Deity.

Hope teaches us to look forward with humble confidence to future happiness. It is an essential doctrine of revelation, that God really and truly desires the salvation of all mankind; that he created all for this end; that with this view, Jesus Christ, his eternal Son, died upon the cross, and established the Church with all necessary helps to salvation; that consequently, if we do our best endeavours, we shall be saved, not indeed by our natural strength, for with this alone we can do nothing, but by the help of grace, which God is ever ready and desirous to impart to those who employ the proper means for obtaining it; that consequently, if any one is lost, his perdition is from himself alone, and that if any one despair or cease to hope, it must either be, that he refuses to do his best, or that he violates the doctrines of faith, and accuses God of injustice. Hope gives peace to the mind, not by imparting

a certainty of future happiness, which even the apostle himself declares he did not possess, but by inspiring a firm yet humble confidence in the promises, the mercy, and the merits of Christ.

But what is charity, that first, that greatest, that most essential of all the Christian virtues? Is it synonymous with benevolence to the poor? Does it consist merely in relieving the distressed, comforting the sorrowful, clothing the naked, and similar works of brotherly kindness? No, for St. Paul says, "If I distribute my goods to the poor, and give my body to the flames, and have not charity, it profiteth me nothing." (1 Cor. xiii. 3.) Charity, then, is something more than benevolence. What is it? It is a virtue which regards God as well as man. It would be a partial and imperfect virtue, indeed, if it excluded God, the most perfect, the most amiable, the only adorable being, the first of benefactors, the best of friends, the most tender and loving of parents. It teaches us to love God above all things, to prefer his Law and Will before every consideration, to make them the rule, guide, and criterion of our thoughts, our words, and our conduct. It prepares us at any moment to sacrifice whatever we value most in life, rather than violate the allegiance we owe to our sovereign Lord. It teaches us to worship him in the manner he requires, and consequently to follow the religion which we sincerely believe to have been established by Him. For should any man say to God, "I love thee, O God, but I will not worship thee in the manner which thou hast commanded, but in a manner which I consider as good or better," would he not offer an affront to God? would he not be considered as

a rebel against the Divine Majesty? would not his selfish homage be rejected with disdain?

And here, my brethren, it follows, as an immediate consequence, that human governments ought not to interfere between God and his creatures, and compel, by pains and penalties, a form of worship, which the conscience of man does not approve. Not that man is always justified who follows his conscience. That conscience may be, and often is wilfully perverted, and in this case, it becomes a perverse and deceitful guide. But, though man is not always justified in following his conscience, he can never be justified in acting against it; and as God alone knows the secrets of the human heart, it is not for man to *force* his own conviction upon others, and *compel* them to follow his conscience instead of their own. Surely, if liberty is ever valuable, ever sacred, ever an inalienable right, it is in the intercourse of man with God, who requires not the officious aid of tyrants to render to every one according to his works; who can well distinguish the hypocrite from the sincere adorer; who alone can determine how far ignorance may excuse error, or sincerity supply the place of truth. Hence it follows that all those civil enactments, which *compel* the conscience in its quiet and simple intercourse with God, by whomsoever or against whomsoever directed, are equally repugnant to the law of nature, and to the virtue of Christian charity.

This sacred virtue teaches us, in the next place, to love every neighbour as ourselves, in thought, in word, and in deed. It forbids us to think unkindly, or to judge rashly of

any human being; it commands us to put the best construction on his conduct, to excuse it when we can, and palliate it when it will not admit of excuse, and this, even though our judgments be confined to the secrets of our own breasts.

Still more does it require that our words be regulated by the same principles; that nothing escape our lips, which can injure our neighbour's reputation, or disturb his peace of mind; that when occasion offers, we undertake his defence, excuse his defects, extenuate his errors, and proclaim his merits. It teaches us to assist him in his distress, comfort him in his sorrows, advise him in his doubts, correct his errors, and as far as lies in our power, promote all his temporal and spiritual interests.

And here, my Christian brethen, I cannot refrain from offering a few remarks, upon what is usually called proselytism. This word is become odious, and all men seem eager to disclaim its import, as if it were a crime. Yet what is meant by proselytism? If it means converting others to the true religion, what were the apostles themselves but the makers of proselytes? What did Jesus Christ give them in charge to do when he bade them "go and teach all nations," (Matt. xxviii. 19.) but everywhere to make proselytes? For what were the apostles persecuted, put to death and crowned with the glory of martyrdom, but for making proselytes? What successor of the apostles would do his duty, if he did not labour, like them, to make proselytes? What Christian could lay claim to the rewards of charity, who, convinced of the truth of his religion, and of the inestimable blessings it imparts, refused or neglected

to make others partakers of it; concealed his treasure from the objects of distress, and covered 'under a bushel' the light which was wanted to guide the steps of his benighted fellow-traveller?

But if, by *proselytism*, is meant the seducing of men from truth to error, or what we believe to be such; if it imply the use of any means that are unfair, unhandsome, dishonourable, or uncharitable, of violence, bribery, false arguments, or any other means whatsoever than such as are dictated by the strictest truth and animated by pure benevolence, then, indeed, is *proselytism* as odious as it is unchristian: then, far be its practice from every Catholic and from every Christian. Be it hated and detested by every lover of honesty, of truth, and of charity.

Such is that virtue of charity which the apostle declares to be the first, the best, the most essential of Christian virtues. I rejoice, my Christian brethren, that it is so, for it is the one respecting which we are all happily agreed. However we may differ on other points, on this there is no difference amongst us. Would to God the agreement between us was as perfect on all points which the apostle pronounces necessary for our future welfare; but as differences do exist, I am glad that they regard the less, rather than the greater virtue. I am glad that the virtue which makes man most like to God, without which all other virtues can be of no avail, with which every necessary virtue may be hoped for, should be common, my Christian brethren of all religious persuasions, to you, to me, and to us all. It is not, I grant, a perfect union, but can

that union be deemed unimportant which is cemented by the ties of love, even such a love as he who died for love brought from heaven, and bequeathed as the greatest of blessings to man?

Charity, then, is a universal virtue. It admits of no exception. It extends to God and to our fellow-creatures of every country, of every colour, of every disposition, of every opinion, of every sect. The man who should exclude from his universal charity one single child of Adam, be his country, his conduct, his religion whatever it may, *transgresses this first of the Divine commands*, and "becomes guilty of all." (James ii. 10.) With men of blood and the workers of iniquity will be his portion.

But some of you may object, that St. John, the apostle of charity, himself admits an exception, when he tells us that if a man come to us who brings with him certain errors of doctrine, we are not "to receive him into our houses, nor say to him, God speed you; for he that saith unto him God speed you, communicateth with his wicked works." (2 John i. 10, 11.) I acknowledge that such are the words of the apostle, and that the passage is liable to misconstruction; and therefore, in many of the Catholic translations of the Scripture, a note is added, informing the reader, that the intention of St. John is merely to caution the faithful against the danger which may arise from a *familiarity* with those who have prevaricated from the true faith, and become the teachers of false doctrine, but that he does not mean to restrain the limits of fraternal charity, which requires us to wish well and pray for *all*, even our enemies. Indeed, every one may perceive that cases may

occur, in which charity requires us to discountenance the teachers of error, and the seducers of the people. Thus if, in the midst of a united and peaceful flock, an innovator should start up, broaching new doctrines, seducing the people from their faith, and causing divisions, it might be a duty of charity to shew our abhorrence of his conduct, by shunning all *familiarity* with him, and keeping him at a distance. But should even he be in temporal or spiritual distress, the same charity, which before bade us to shun him, now commands us to fly to his aid, and, forgetting his errors and his crimes, judge of him mildly, speak of him kindly, and afford him every temporal and spiritual assistance in our power. This I am taught by the Catholic Church, and this I believe to be the undoubted meaning of the apostle. Thus the lovely virtue of charity remains unrestrained by a single exception, and embraces every human being for whom the Redeemer of all shed his sacred blood.

But methinks I hear you reply, "That some of the doctrines of Catholics are of so absurd and pernicious a character, as to stamp their professors as the enemies of God and men." Truly, my Christian brethren, when I consider the misrepresentations of the Catholic religion, which so universally prevail in this country, I am filled with astonishment, and had I not a precedent in the first three centuries of Christianity, I should be at a loss to account for so extraordinary a fact. During those primitive ages, the religion of Christ is admitted by all to have been in its greatest practical purity; yet we find that at no period was it ever more calumniated. There is no absurdity, which was not charged upon its doctrines, no atrocity,

which was not imputed to its morality. The most degrading idolatry, the most unnatural crimes, even murder itself, were asserted to be sanctioned by the holy religion of Christ. In their public assemblies, his sainted followers were accused of offering infants in sacrifice, and feasting upon the flesh and blood of their innocent victims! Did not these marvellous calumnies against the primitive Christians stand recorded in the undoubted page of history, I should almost disbelieve my senses, when they testify to me the existence of a similar combination, prevailing so long and so extensively against the same religion in this country. Where is the book, from the paltry penny tract to the learned and costly volume; where the pulpit, from the meeting-house to the cathedral, that has not misrepresented as cruelly, as unjustly, and as unaccountably, the ancient religion of this country?—Oh! did the Catholic religion even distantly resemble the hideous portraits drawn of it by our adversaries; were its tenets even remotely like those which are ascribed to it, there is no one here who would hate and abhor it more than myself? I would fly from it as a pestilence. I would not continue a member of it a single day. Let us, my brethren, in a few instances, compare the portraits with the originals. I shall not now attempt to *demonstrate* the Catholic doctrines, but merely *to state them*; my present object being, not to convince you that these doctrines are true, but merely, that they furnish no ground for excluding Catholics from a share in the common charities of Christians.

What are the leading doctrines of the Catholic Church? In

the first place, the Catholic Church holds, as the foundation of all religion, that there is but one supreme, self-existent, eternal Deity, infinite in power, in wisdom, in goodness, in every perfection; by whom all things were made, in whom all that exist "live, move, and have their being." (Acts xvii. 28.) It teaches that our first duty is, to love God, and adore him alone; that the worst of treasons and the greatest of crimes is, to give his homage to any *creature* whatsoever. It teaches that in this one God, there are three divine Persons, perfectly distinct in *personality*, perfectly one in *nature*; that the second Person descended from heaven, became man, and died upon a cross for the salvation of all mankind: that through his blood all may be saved, and that there is "no other name under heaven given to men, in which any one can" obtain salvation: (Acts iv. 12.) that all spiritual graces and blessings actually bestowed in this life, or hoped for in the next, must be derived originally from the sufferings and merits of the divine Redeemer alone.

So far, my dissenting brethren, I trust that all or most of you agree with the Catholic Church. You are, therefore, agreed with her not only in charity, but in the profession of the primary and *most* essential doctrines of faith. Beyond these primary articles, you are not, I believe, very rigid in exacting agreement from each other. Other points *you* consider as of smaller moment, and allow on them a great latitude of opinions. Allow the same privilege to your Catholic brethren, which you allow to each other. This is just, and this, I think, I have a right to claim at your hands.

But you have been told that "Catholics worship images, as did the pagans of old; and that, like them, they give the glory of the eternal God to the works of men's hands." I know how common these accusations are, and how *otherwise* respectable are the sources from whence they spring, or I should fear to insult your understandings by supposing that any of *you* are capable of believing them. For is it possible, that in an age and country, which claims to be so learned and so enlightened, men should be found capable of believing that the majority of the Christian world, the great, the good, the learned of almost every civilized nation under heaven, are so ignorant, so debased, so stupid, so wicked, as to give divine honours to a lifeless and senseless image? Is it possible that any of you should persuade yourselves that the most ignorant Catholic here present should be capable of adoring, for instance, the ivory image which you see upon that altar?

"But why, if the image is not worshipped, is it there?" Ah! my Christian brethren, look at that image, and tell me what impression does it make on your minds? It represents your Redeemer nailed to the cross, and dying for your sins. Can you behold such an object unmoved? Can you fix upon it a vacant eye? Can you gaze upon it, and not reflect how great was *his* goodness, who thus suffered; how criminal those sins which caused such sufferings; how sincere ought to be your sorrow in having participated in the commission of them? It is to excite such emotions that the image is placed there, and let me ask you, *could* a more appropriate object stand upon the Christian altar, or be placed before the eyes of a Christian

assembly, when they meet to pay their worship to their divine Redeemer, when every mind should be impressed, and every heart penetrated with the remembrance of his sufferings, the source of all our happiness and all our hope?

Really, my Christian brethren, I blush to think it should be necessary to say that Catholics, as well as you, know the folly, and detest, as much as you, the impiety of giving divine honours to a lifeless piece of wood or ivory, however skilfully the sculptor may have fashioned it, or whatever object it may present to the imagination.

"But do we not worship and pray to the saints?" We worship *no creature whatever*, and therefore not the saints.—"But at least we pray to them?" Yes, my Christian brethren, just as St. Paul prayed to his own converts, or I pray to you. I say to you, and with all sincerity I say it, "pray for me, my brethren; obtain for me from God those blessings which I may myself be unable or unworthy to obtain." I say the same to the blessed mother of Jesus Christ, to St. Peter, St. Paul, St. Augustine, St. Jerome, or any other of those holy persons, whose acknowledged sanctity has procured for them, through the grace and merits of Christ, the friendship of God and the happiness of heaven. Surely there is nothing wrong or unreasonable in this. The earthly trials of these holy persons are past, the veil of mortality is removed from their eyes, they behold God face to face, and enjoy, without reserve, his friendship and his love. May I not reasonably hope that their prayers will be more efficacious than my own or those of my friends? Under this persuasion, I say to them, as I just now

said to you, " holy Mary, holy Peter, holy Paul, pray for me." What is there in reason or revelation to forbid me to do so? A child has been deprived by death of a parent, who, through life, offered for him the most fervent supplications. Is it likely that the anxiety of a parent for the welfare of a beloved child wholly ceases in death? Should the child think not, and under this persuasion say, " Oh! my parent, think of me, love me, pray for me still. Forget not, in your happy country, your exile child." Would *this* be impiety? Would *this* be robbing God of his glory, or Christ of his mediation? Would *this* be transferring to creatures, the honours and privileges due to God alone? Would *this* justify you in judging harshly, speaking contemptuously, or acting unkindly towards your Catholic brother? I shall then merely add, in the words of St. Paul, in conformity with the repeated decisions of the Catholic Church, and in unison with the voice of every Catholic in the world, " *Anathema* to the man who worships an image as God, or gives to it divine honours, or believes it to possess any portion of divine power or virtue, or places his trust in it, or prays to it, or believes it to be any thing more than a lifeless, senseless lump of matter. *Anathema* to the man who worships the saints as gods, attributes to them any divine power, believes them to be any more than mere creatures, wholly dependent upon God for every blessing, which they possess themselves or obtain for others; who prays to them with any other view than that of obtaining their prayers, and as one creature may lawfully pray to another. *Anathema* to the man who gives the divine honour to any creature, whe-

ther in heaven above or on the earth beneath, or who adores as God any but the one only true living and eternal God.—And, my brethren, I will add, without hesitation or fear, *Anathema* to myself, if the doctrine I have here explained to you is not the true and universally-received doctrine of the Catholic Church."

You have heard "that the Catholic priesthood usurps the divine power of forgiving sins; that for a sum of money any offender may obtain from the priest pardon for the past, and permission for future crimes; that by this doctrine morality is relaxed, and the commission of every enormity encouraged." I blush to mention such accusations, and to suppose that any of you can have harboured for a moment, such gross, such senseless, such incredible calumnies against the great majority of the Christian world. What is the real Catholic doctrine on this head? Simply this:

Before his ascension into heaven, Christ breathed on his apostles, and said to them, "Whose sins you shall forgive, they are forgiven; and whose sins you shall retain, they are retained.' '(John xx. 23.) He had before said to the same apostles, "Whatsoever you shall bind on earth, it shall be bound also in heaven, and whatsoever you shall loose on earth, it shall be loosed also in heaven?" (Matt. xviii. 18.) And to St. Peter he had said that he gave to him "the keys of the kingdom of heaven." (Matt. xvi. 19.) Now from these texts we conclude, that Christ gave to his apostles and their successors in the ministry, the commission to remit, under certain conditions, the sins of his people. What are these

conditions? In the first place, sincere sorrow for the offence committed, and a firm determination of mind never to commit it again. Without this condition, it is the doctrine of the Catholic Church *universally received as an article of her faith*, that neither priest, nor bishop, nor pope, nor the whole Church together, has power to forgive any sin whatever; and that should any priest, or bishop, or pope, presume to grant absolution to any sinner, who was not from his heart sorry for his sins, and fully determined not to commit them again, such absolution could have no effect, but to augment the sinner's guilt, and involve in a participation of it, the rash minister who had presumed to absolve him.

And here, my brethren of various persuasions, let me ask what conditions do *you* require for the sinner's forgiveness?" If he is truly sorry for his sins; if he is resolved to commit them no more; if he is determined to begin a new life, do you not believe that under such circumstances God forgives him his sins? So far, then, you agree with the Catholic Church in the conditions for divine forgiveness.

But these conditions, though all that most of you require, are not all that are required by the Catholic Church. She requires that the sinner confess his guilt to the minister of religion, in order that the latter may ascertain whether his penitent possess the requisite dispositions, and that he may be enabled to prescribe the necessary reparations for the past, and precautions against future transgressions. 'Unless a sinner is ready to make this full and undisguised acknowledgment of his offences, however painful, however humbling it

may be, the Catholic Church teaches, that her ministers have no authority to grant an absolution, and that should they presume to grant it, it would be of itself null and void.

Nor is even this all. The sinner must, moreover, submit to make such atonement to his offended God, by prayer, by fasting, by works of self-denial, and the like, as may be required of him, and if he has injured any neighbour in his good name, his property, or his person, he must, to the utmost of his ability, resolve to make full and ample satisfaction. Without such a resolution, no Catholic priest in the world could or would consider himself authorized to give absolution to any penitent, and if he did presume to give it, his religion teaches, *as an article of faith*, that his absolution could be of no avail in the sight of God, but to add to the guilt both of the giver and the receiver.

Now let me ask, Is this a doctrine which relaxes the Christian morality, which encourages guilt, and facilitates the commission of crime? What, then, must those doctrines be, which admit the sinner to reconciliation, upon the simple condition of repentance and a confession made to God alone?

But how can man forgive sins? Who "can forgive sins but God alone?" I might refer you to the answer, which Jesus Christ himself gave to this question, when he cured the man sick of the palsy. Matt. ix. 6.

But I ask, Do not most of you acknowledge that sin is forgiven in baptism, through the agency of man? Now if the pouring of water and the invocation of the adorable Trinity, by the minister of Christ, occasion the forgiveness

of sin, (John iii. 5.) why may not the words of absolution pronounced by the same minister, in the name and by the authority of the same adorable Trinity, equally occasion it? In other words, if God can enable his ministers to forgive sins by baptism, why not by penance and absolution? On this point, indeed, the Church of England agrees with us, as appears by the directions given in the common prayer-book, for the visitation of the sick.

And who will limit the divine power, and say that whilst an earthly monarch can grant to a viceroy or a general the exercise of the royal prerogative of mercy, the King of heaven cannot grant the same prerogative to the ministers and rulers of his spiritual kingdom on earth? And on the supposition that he wished to grant it, what plainer, stronger, or less equivocal words could he employ than these, "*Whose sins you shall forgive, they are forgiven; and whose sins you shall retain, they are retained?*" (John xx. 23.) At all events, if any of you, my dissenting brethren, think yourselves at liberty to give some figurative interpretation of your own to these plain words of Scripture, surely you will not refuse to your Catholic brethren, the privilege of understanding them, with the great body of Christians in every age, in their literal and obvious sense? Why should not we be allowed to explain Scripture for ourselves as well as you?

As to the charge of forgiving sins for money, or allowing the commission of future sins on any condition whatever, it is a simple calumny. The Catholic Church expressly forbids her clergy to receive money for absolution from sin, and would

condemn as guilty of simony any priest who committed such a crime. Accounts to the contrary, with which the sermons and tracts of this country abound, will always be found to be given without the names of persons or places, and, like other similar charges, are fabricated for purposes best known to the authors.

"But do not Catholics believe that there is a place called Purgatory, and that the priest can liberate souls from it, upon payment of a sum of money?" Again, my Christian brethren, I ought to apologize to you for answering an objection which, though often made in the gross way I have stated it, your own good sense must convince you is an incredible misrepresentation. Can you possibly suppose that the wise, the learned and the good of so many polished nations, should be capable of upholding a superstition so gross as is here imputed? Do you really think, that it requires essentially a Protestant intellect to discover that such a power, as is here ascribed to the priest, is unfounded equally in religion and reason? A simple explanation of the Catholic doctrine will satisfy you on this head.

It is the belief of the Catholic Church, and the same, I presume, is yours, that all sins are not equal in malice and guilt; that a passing, angry feeling is not so great a crime as murder, nor an idle word as blasphemy. Hence, we believe that God does not *punish* all sins equally, but "renders to every one according to his works;" (Matt. xvi. 27.) that whilst he punishes the wilful, deliberate and mortal offender with the extremity of severity, even with everlasting fire; he inflicts upon the minor and more venial sinner, chastisements less severe, and of limited duration. Is this belief unreasonable?

Let us consult human laws, which claim reason for their basis. The laws of England, for instance, are justly deemed a reasonable code. It is indeed generally thought that these laws are of rather too sanguinary a character; that they too often inflict the punishment of death. Still even the laws of England do not punish all offences with death. There are in them gradations of punishment, corresponding with the gradations of crime. There is banishment for life, for fourteen years, for seven years; there is imprisonment for different periods of time; there are fines of various amounts. We should call the law unjust, or the king a tyrant, who punished equally with death, the child who had pilfered an apple, and the wretch who had murdered his father. Are the laws of God alone unjust? Has he alone the privilege of punishing without discrimination? The Scripture expressly declares that before the divine tribunal "Men shall give an account of every idle word." (*Matt. xii. 36.*) Let us then make a supposition. A child arrived at the full use of reason, and knowing that every lie is a sin, to escape punishment, tells an untruth in a matter of trivial moment. There is not a doubt that a sin has been committed. Before the child has time to repent, an accident deprives him of life. What reception shall he meet with at the bar of eternal justice? Will he be sentenced with the parricide to eternal flames? I need not give the answer. Reason revolts at the idea. He must then be punished for a time, and when he has atoned for his fault, be admitted to reconciliation. Such is the belief of the Catholic Church.

But if a temporary state of punishment be admitted, prayer

for the dead must follow of course; as on the other hand, if heaven and hell are believed to be the only alternatives in the moment of death, prayer for the dead is vain: for in heaven relief is not wanted, and "from hell there is no redemption." Hence, when our friends are taken from us by death, and we have reason to hope (and when will not affection hope?) that these offences may not deserve the extremity of the eternal punishment, we entreat the divine goodness to shorten or alleviate their sufferings. Is this unreasonable? Is this superstitious? Is this unscriptural? I am sure it is not uncharitable, and charity is the first of virtues. But let us again make a supposition. An affectionate child has just been deprived by death of a beloved parent. That parent had not been without his faults: though virtuous, his virtues had not been unaccompanied by imperfections: he had sinned, but not grievously. At all events, the afflicted orphan trusts that this was the case. If in such moments, and under such impressions, he pours forth his fervent prayer, "O God, have mercy on the soul of my beloved parent, and if he be doomed to suffer, and those sufferings admit of alleviation, for the sake of Jesus Christ, hear my prayer; alleviate and shorten his pains." Is he guilty of impiety, superstition, or folly? Against what precept does he offend? What text of Scripture forbids the act? But what do I say? The act required no sanction of revelation; it was dictated by nature; the prayer came spontaneously to his lips; it appears to me it must have come so to your own. Tell me, if it had, would you have thought yourselves bound to repress it? Would you have rebuked the voice of nature, and said,

"Tempt me not, I cannot utter a prayer for my parent; he is already either in hell or in heaven; it is in vain, it is unlawful, it is criminal to pray for him." I thank God that such are not the doctrines of the Catholic Church; for I should find it difficult to believe them, and still more painful to practise them.

"But the Scripture does not command us to pray for the dead." Neither does it forbid us: why, then, may not the voice of nature, the dictates of reason and the usages of antiquity be allowed to govern our conduct? Is nothing lawful but what Scripture expressly commands or expressly prescribes? Then why bury your dead in consecrated ground? Why read passages from the Scripture, and strangely enough pray over their graves for every one but them? My Christian brethren, when I read the history of these religious changes, and find that prayer for the dead was not condemned in England, till the rapacious ministers of Edward the Sixth had seized upon the rich foundations, which our pious forefathers had established, to obtain the prayers of the living, I cannot persuade myself that reason or Scripture had any thing to do with forbidding such prayers: I feel convinced that if reason and Scripture had alone been consulted, you would have felt as little scruple as I do in praying for the souls of our departed friends. At all events, if the Catholic do not think the practice repugnant to Scripture, as he certainly does not, why should you condemn him? Has not he as much right as you, to judge of the meaning of Scripture? and if his interpretation be fortified by the constant belief of the Catholic Church, by the practice of all

his ancestors, by the dictates of nature and the best feelings of the human heart, is he not abundantly justified in preferring his own firm persuasion to your opinion?

With respect to the assertion so often made by the enemies of the Catholic religion, "That for a sum of money, its ministers claim the power of releasing souls from purgatory," I need not, I am sure, add, that it is another of those strange misrepresentations, which, though a thousand times proved to be groundless, is as often repeated. The Catholic priest claims no authority or jurisdiction over the dead. All he can do, is, to apply to the mercy of God in their behalf; but, like other men, he must ever remain uncertain respecting the efficacy of his prayers. He has, indeed, one advantage peculiar to the priesthood. He can offer sacrifice; and sacrifice, under the new law, as well as under the old, has always been considered the most powerful means of moving God to mercy. Hence, if any one, in addition to his own private prayers, wish to have sacrifice offered for the souls of his departed friends, there is no doubt he must apply to the ministry of the priests; and if "They who serve the altar are entitled to live by the altar," (1 Cor. ix. 13.) no one, I presume, will deny that the priest is entitled to a remuneration for the expense he incurs and the labour he performs in complying with the pious wishes of others. Every day he is obliged to pray, without remuneration, for the souls of the departed in general, and on certain days he is obliged to offer, for all, the holy sacrifice, equally, without remuneration; and there is no priest, charged with the care of souls, who fails to comply with this duty of charity. But if

not content with these general prayers and sacrifices, individuals wish for their friends special and peculiar services, surely, he who performs them may, without reproach, receive a remuneration. Do not those who make the above-mentioned charges against the Catholic Church, themselves receive fees for the burial service which they perform for the dead, nay, even for the administration of baptism and for preaching the Gospel? Would a Catholic be justified in saying, on this account, that for a sum of money, these clergymen claim a power of remitting sin, and opening to their followers the gates of life?

I fear to exhaust your patience with these explanations, but as you are about to assist at the holy sacrifice of the new law, and as there is no subject more misrepresented than this, I must add upon it a few words. The mass, (to use a phrase of the Church of England,) is the communion service of the Catholic Church. In it, the bread and wine are solemnly consecrated, and when so consecrated, solemnly offered to God in the way of oblation or sacrifice, and for the various ends for which, from the beginning of the world, sacrifice has been offered. But what are the consecrated bread and wine? How often, my Protestant brethren, have not you been told that the doctrine of the Catholic Church, on this head, is the height of absurdity, folly, and impiety? How often have you been told that Catholics, like the Jews of Capharnaum, understand the words of Christ in a gross and carnal sense: that they believe his sacred body to be present in the sacrament, in a *crude, natural, and mortal state*? Now, were such really the doctrine of the Catholic Church, there would be

some ground for the outcries of her adversaries; for surely our senses testify clearly enough that, *in such a state*, the body of Christ is not present. What, then, is the real doctrine of the Catholic Church? She teaches, that by the words of consecration, a real change is wrought in the bread and wine, not, indeed, in external properties, but in internal substance: that now the body and blood of Christ are, *in substance, truly and really present*, though not perceptible to our senses. This is her doctrine. With respect to the *manner or state*, in which Christ is present, she has not decided any thing, except that, (as our senses testify,) he is not present in the gross, natural state of a mortal body, but in some supernatural and ineffable manner suited to the object of his presence. (See Conc. Trident. Sess. xxii. cap. 1 and 2.)

Now, my brethren, what is the absurdity or impiety of this doctrine? Is it absurd to believe that a body may be *truly, really and substantially* present, though not in *its usual natural state*? or that the same body may be present in different states? I grant that in mere mortal bodies these things are not naturally possible; but the question is here not of a mere mortal, but of a glorified body, and not of the glorified body of a mere man, but of a man God. May not such a Being be present in more states than one? "Consult the Scriptures," and you will find that he has been present in several. Behold him now present as an infant in the stable, now as a malefactor on the cross; now, risen from the dead, he assumes the united properties of a spirit and a body. He enters the room when the doors are shut, and is found solid and tangible to

the hands of Thomas; to Magdalene he appears as a gardener, to two of his disciples as a stranger; now he eats with them as a mortal body, now he vanishes, and becomes invisible as a pure spirit. (Luke xxiv. 31.) For every varying purpose he assumes a varied form, and is present, as occasion requires, in a different state. Did he exhaust his powers? Are there no other states than these, in which he can be present? If it be his pleasure to perpetuate, in an unbloody manner, the sacrifice of the cross, and become our daily victim, and our daily spiritual food, can he not accomplish his pleasure? Will any one dare thus to circumscribe Omnipotence, and say, "So far thou canst go, but no farther? Thou canst not be present, all glorified and immortal as thou art, but I must behold thee; thou canst not communicate thyself to me, but I must taste thee." He must be an ignorant, as well as a presumptuous man, who argues thus.

The question, then, is not whether Jesus Christ *can*, but whether he *has* performed for us these prodigies. The Catholic Church believes that he has, and as far as I can judge, for the most powerful reasons. "This is my body, this is my blood," (Matt. xxvi. 26; Mark xiv. 22; Luke xxii. 19.) are the unqualified assertions of three evangelists: the fourth asserts, "Unless you eat the flesh of the Son of man, and drink his blood, you shall have no life in you; for my flesh is meat indeed, and my blood is drink indeed." (John vi. 54.) St. Paul repeats the declaration of the three evangelists, "This is my body, this is my blood," (1 Cor. xi. 24.) and concludes from it, that "He who eateth, and drinketh unworthily, eateth

and drinketh judgment to himself, not discerning the body of the Lord." (Ibid. 29.) The belief of the Catholic Church, spread throughout the world, is unanimous on this head, and has ever been so from the earliest ages. The same is the belief of the various divisions of the Greek Church, separated as she has been from the Catholic Church, for a thousand years; the same is the belief of the remnants of some smaller Oriental sects, which left the communion of the Catholic Church at a still earlier period. If the belief is an error, at what period, by whom, and in what manner was it introduced? Was the faith of the whole church corrupted *before* the schisms of Eutyches and Nestorius? How short, then, was the reign of truth? How early did the Redeemer and the promised spirit of truth forsake the Church? Was the alteration made *after* the establishment of the Eutychean and Nestorian heresies? Then how came they to adopt a change in union with the Church they had forsaken? What general infatuation seized mankind, that all should unite, the orthodox and the heterodox, the Catholics and the sectaries, in abjuring the *same truth*, and adopting the *same error*. And ah! my brethren, how mysterious, indeed, must the Providence of God have been, to suffer the original truth to be banished from the world for a thousand years, and then discover it at last in the sixteenth century to a few Englishmen and Germans! But I am unintentionally entering into controversy, where explanation is my object. I trust I have said sufficient on this subject to convince you that the Catholic faith has been grievously misrepresented to you: that if, like the doctrine of the Trinity and the Incar-

nation, it is mysterious and incomprehensible, it is not on that account to be rejected, much less blasphemed: that whether you believe it or not, you ought to respect it as the sincere and conscientious belief of the great majority of the Christian world: that neither your belief nor mine alters the mystery which Christ has established, at which you are about to assist, and to which, as the institution of Christ, I request your respectful attendance.

But why is it performed in an unknown tongue? and why all this parade of richly-attired priests and attendants at the altar? The former, you have been told, is to keep the people in ignorance, the latter to impose upon the senses. How severe, my brethren, is your treatment of your mother Church! The reasons why, in the celebration of the mass, the Latin language is used, are simply these: First, The Latin and Greek were the languages most generally used, and almost the only written languages in the principal countries where the Christian religion was first promulgated. In these languages, therefore, the liturgy of the Church was originally composed, nearly in its present form. When, several centuries afterwards, the languages of modern Europe began to be formed, the Church did not think proper to alter the languages she has ever used in celebration of the holy sacrifice. For if, on the one hand, these languages, by becoming dead, ceased to be understood by the unlearned, on the other, they became, like a body raised from death, immortal and unchangeable; and on this account the better adapted for preserving unaltered the awful doctrines and mysteries committed to their care. Would *prudence* have

justified the setting aside the pure, the dignified, the immutable languages of the primitive Church, languages which, though no longer spoken by the unlettered, were still, as they are to this day, the universal languages of the learned in every country, and the adoption in their stead of the numberless barbarous, half-formed and daily changing languages of modern Europe? Would it have been respectful, would it have been secure, would it have been practicable to commit to these rude and uncertain vehicles the sacred deposit of the faith and hopes of Christians? For the use of the people, translations have been made, and abound in every Catholic country: but at the altar the priest continues to commune with God in the original languages, reciting the more sacred parts of the sacrificial rite in a low voice, which breaks not the awful silence, nor disturbs the deep recollection of the surrounding adorers.

Had the Catholic Church wished to keep the people in ignorance, she would have commanded the clergy to *give instructions* and *to preach* in unknown languages: I should not now have been explaining to you, in the plainest English I can command, the doctrines of the Catholic religion; but I should have been exciting your just ridicule by the delivering of a Latin oration.

With respect to ceremonies and vestments, they should be viewed with the eye of antiquity. They are the venerable relics of primitive times, and, though ill adapted to the youthful religions of modern times, well become that hoary religion, which bears the weight of so many ages. The ceremonies employed in the Christian sacrifice, as well as in the sacerdotal

vestments, have their model in the book of Leviticus, and, as nearly as the difference of the old and new law permits, closely resemble those instituted by God himself. The Catholic Church deems them useful. They give a peculiar dignity to the sacred mysteries of religion; they raise the mind of the beholder to heavenly things, by their various and appropriate import; they instruct the ignorant and keep alive attention; they give the ministers of religion a respect for themselves, and for the awful rites in which they officiate: but neither the ceremonies nor the vestments belong to the essence of religion. The Church established them in the first ages. She could, if she deemed it advisable, set them aside any day, and the sacrifice would be equally holy, though not equally impressive, if offered by the priest in a plain surplice, or the ordinary costume of the day, &c. &c. &c.

LONDON
Printed by WILLIAM CLOWES,
Northumberland-court.

A

LETTER

TO

THE ELECTORS,

UPON THE

CATHOLIC QUESTION.

BY THE

REV. SYDNEY SMITH, &c. &c.

YORK:

Printed by Thomas Wilson and Sons, High-Ousegate:

SOLD BY LONGMAN, REES, ORME, BROWN, AND GREEN,
PATERNOSTER-ROW, LONDON;
AND BY J. AND G. TODD, YORK.

1826.

A LETTER,

&c. &c.

WHY is not a Catholic to be believed on his oath?

What says the law of the land to this extravagant piece of injustice? It is no challenge against a juryman, to say he is a Catholic; he sits in judgment upon your life and your property: Did any man ever hear it said that such or such a person was put to death, or that he lost his property, because a Catholic was among the jurymen? Is the question ever put? Does it ever enter into the mind of the attorney or the counsellor to inquire of the faith of the jury? If a man sell a horse, or a house, or a field, does he ask if the purchaser is a Catholic? Appeal to your own experience, and try by that fairest of all tests, the justice of this enormous charge.

We are in treaty with many of the powers of Europe, because we believe in the good faith of Catholics. Two-thirds of Europe are, in fact, Catholics; are they all perjured? For the first fourteen centuries all the Christian world were Catholics; did they live in a constant state of perjury? I am sure these objections against the Catholics are often made by very serious and honest men, but I much doubt if Voltaire has advanced any thing against the Christian religion so horrible, as to say, that two-thirds of those who profess it are unfit for all the purposes of civil

life; for who is fit to live in society who does not respect oaths? But if this imputation be true, what folly to agitate such questions as the civil emancipation of the Catholics. If they are always ready to support falsehood by an appeal to God, why are they suffered to breathe the air of England, or to drink of the waters of England? why are they not driven into the howling wilderness? But now they possess, and bequeath, and witness, and decide civil rights; and save life as physicians, and defend property as lawyers, and judge property as jurymen; and you pass laws, enabling them to command all your fleets and armies, * and then you turn round upon the very man whom you have made the master of the European seas, and the arbiter of nations, and tell him he is not to be believed on his oath.

I have lived a little in the world, but I never happened to hear a single Catholic even suspected of getting into office by violating his oath; the oath which they are accused of violating is an insuperable barrier to them all. Is there a more disgraceful spectacle in the world than that of the Duke of Norfolk hovering round the House of Lords in the execution of his office, which he cannot enter as a peer of the realm? disgraceful to the bigotry and injustice of his country, to his own sense of duty, honourable in the extreme; he is the leader of a band of ancient and high-principled gentlemen, who submit patiently to obscurity and privation, rather than do violence to their conscience. In all the fury of party, I never heard the name of a single Catholic mentioned, who was suspected of having gained or aimed at, any political advantage, by violating his oath. I have never heard so bitter a slander supported by the

* There is no law to prevent a Catholic from having the command of a British fleet or a British army.

slightest proof. Every man in the circle of his acquaintance has met with Catholics, and lived with them probably as companions. If this immoral lubricity were their characteristic, it would surely be perceived in common life. Every man's experience would corroborate the imputation; but I can honestly say that some of the best and most excellent men I have ever met with, have been Catholics; perfectly alive to the evil, and inconvenience of their situation, but thinking themselves bound by the law of God and the law of honour, not to avoid persecution by falsehood and apostacy. But why (as has been asked ten thousand times before) do you lay such a stress upon these oaths of exclusion, if the Catholics do not respect oaths? You compel me, a Catholic, to make a declaration against transubstantiation, for what purpose but to keep me out of parliament. Why, then, I respect oaths and declarations, or else I should perjure myself, and get into parliament; and if I do not respect oaths, of what use is it to enact them in order to keep me out? A farmer has some sheep, which he chooses to keep from a certain field, and to effect this object, he builds a wall: there are two objections to his proceeding; the first is, that it is for the good of the farm that the sheep should come into the field; and so the wall is not only useless, but, pernicious. The second is, that he himself thoroughly believes at the time of building the wall, that all the sheep are in the constant habit of leaping over such walls. His first intention with respect to the sheep is absurd, his means more absurd, and his error is perfect in all its parts. He tries to do that which, if he succeed, will be very foolish, and tries to do it by means which he himself, at the time of using them, admits to be inadequate to the purpose: but I hope this objection to the oaths of Catholics is disappearing; I believe neither lord Liver-

pool, nor Mr. Peel, (a very candid and honourable man,) nor the archbishops, (who are both gentlemen,) nor lord Eldon, nor lord Stowell, (whose Protestantism nobody calls in question,) would make such a charge. It is confined to provincial violence, and to the politicians of the second table. I remember hearing the Catholics from the hustings of an election, accused of disregarding oaths, and within an hour from that time, I saw five Catholic voters rejected, because they would not take the oath of supremacy; and these were not men of rank who tendered themselves, but ordinary tradesmen. The accusation was received with loud huzzas; the poor Catholics retired unobserved and in silence. No one praised the conscientious feelings of the constituents: no one rebuked the calumny of the candidate. This is precisely the way in which the Catholics are treated: the very same man who encourages among his partizans the doctrine, that Catholics are not to be believed upon their oaths, directs his agents upon the hustings, to be very watchful that all Catholics should be prevented from voting, by tendering to them the oath of supremacy, which he is certain not one of them will take. If this is not calumny and injustice, I know not what human conduct can deserve the name.

If you believe the oath of a Catholic, see what he will swear, and what he will not swear: read the oaths he already takes, and say whether in common candour or in common sense, you can require more security than he offers you. Before the year 1793, the Catholic was subject to many more vexatious laws than he now is; in that year an act passed in his favour, but before the Catholic could exempt himself from his ancient pains and penalties, it was necessary to take an oath. This oath was, I believe, drawn up by Dr. Duigenan, 'the bitter and implacable

enemy of the sect, and it is so important an oath, so little known and read in England, that I cannot, in spite of my wish to be brief, abstain from quoting it. I deny your right to call No Popery, till you are master of its contents.

"I do swear, that I do abjure, condemn, and detest, as "unchristian and impious, the principle, that it is lawful to "murder, destroy, or any ways injure, any person whatso- "ever, for or under the pretext of being a heretic; and I "do declare solemnly, before God, that I believe no act, "in itself unjust, immoral, or wicked, can ever be justified "or excused by or under pretence or colour, that it was "done either for the good of the church, or in obedience to "any ecclesiastical power whatsoever. I also declare that "it is not an article of the Catholic faith, neither am I "thereby required to believe or profess, that the Pope is "infallible; or that I am bound to obey any order, in its "own nature immoral, though the Pope, or any ecclesiastical "power, should issue or direct such order; but, on the con- "trary, I hold that it would be sinful in me to pay any "respect or obedience thereto. I further declare, that I "do not believe that any sin whatsoever committed by me, "can be forgiven at the mere will of any pope or any priest, "or of any persons whatsoever; but that sincere sorrow for "past sins, a firm and sincere resolution to avoid future "guilt, and to atone to God, are previous and indispensable "requisites to establish a well-founded expectation of for- "giveness; and that any person who receives absolution, "without these previous requisites, so far from obtaining "thereby any remission of his sins, incurs the additional "guilt of violating a sacrament: and I do swear, that I "will defend, to the utmost of my power, the settlement "and arrangement of property in this country, as established

"by the laws now in being.—I do hereby disclaim, disavow, "and solemnly abjure any intention to subvert the present "Church establishment, for the purpose of substituting a "Catholic establishment in its stead; and I do solemnly "swear, that I will not exercise any privilege to which I am "or may become entitled, to disturb and weaken the Pro- "testant religion, and Protestant government in this king- "dom. So help me God."

This oath is taken by every Catholic in Ireland, and a similar oath, allowing for the difference of circumstances of the two countries, is taken in England.

It appears from the evidence taken before the two houses, and lately printed, that if Catholic emancipation were carried, there would be little or no difficulty in obtaining from the Pope an agreement, that the nomination of the Irish Catholic bishops should be made at home constitutionally by the Catholics, as it is now in fact, * and in practice, and that the Irish prelates would go a great way, in arranging a system of general education, if the spirit of proselytism, which now renders such a union impossible, were laid aside. This great measure carried, the Irish Catholics would give up all their endowments abroad, if they received for them an equivalent at home; for now Irish priests are fast resorting to the continent for education, allured by the endowments which the French government are cunningly restoring and augmenting. The intercourse with the see of Rome might and would, after Catholic emancipation, be so managed, that it should be open, upon grave occasions, or, if thought proper, on every

* The Catholic bishops, since the death of the Pretender, are recommended either by the chapters or the parochial clergy, to the Pope; and there is no instance of his deviating from their choice.

occasion, to the inspection of commissioners. There is no security *compatible with the safety of their faith*, which the Catholics are not willing to give. But what is Catholic emancipation as far as England is concerned? not an equal right to office with the member of the Church of England, but a participation in the same pains and penalties as those, to which the Protestant dissenter is subjected by the corporation and test acts. If the utility of these last-mentioned laws is to be measured by the horror and perturbation their repeal would excite, they are laws of the utmost importance to the defence of the English Church; but if it be of importance to the Church that pains and penalties should be thus kept suspendant over men's heads, then these bills are an effectual security against Catholics as well as Protestants: and the manacles so much confided in, are not taken off, but loosened; and the prayer of a Catholic is this: "I cannot now become an alderman without perjury. I pray of you to improve my condition so far, that if I become an alderman, I may be only exposed to a penalty of £500." There are two common errors upon the subject of Catholic emancipation; the one, that the emancipated Catholic is to be put on a better footing than the Protestant dissenter, whereas he will be put precisely on the same footing; the other, that he is to be admitted to civil offices, without any guard, exception, or reserve, whereas in the various bills which have been from time to time brought forward, the legal wit of man has been exhausted to provide against every surmise, suspicion, and whisper of the most remote danger to the Protestant Church.

The Catholic question is not an English question, but an Irish one; or rather, it is no otherwise an English question than as it is an Irish one. As for the handful

of Catholics that are in England, no one, I presume, can be so extravagant as to contend if they were the only Catholics we had to do with, that it would be of the slightest possible consequence to what offices of the state they were admitted. It would be quite as necessary to exclude the Sandemanians, who are sixteen in number, or to make a test act against the followers of Joanna Southcote, who amount to one hundred and twenty persons. A little chalk on the wall and a profound ignorance of the subject, soon raises a cry of No Popery, but I question if the danger of admitting five popish Peers and two Commoners to the benefits of the constitution, could raise a mob in any market-town in England. Whatever good may accrue to England from the emancipation, or evil may befall this country, for withholding emancipation, will reach us only through the medium of Ireland.

I beg to remind you, that in talking of the Catholic religion, you must talk of the Catholic religion as it is carried on in Ireland; you have nothing to do with Spain, or France, or Italy: the religion you are to examine is the Irish Catholic religion. You are not to consider what it was, but what it is; not what individuals profess, but what is generally professed; not what individuals do, but what is generally practised. I constantly see in advertisements from county meetings, all these species of monstrous injustice played off against the Catholics. The inquisition exists in Spain and Portugal, therefore I confound place, and vote against the Catholics of Ireland, where it never did exist, nor was purposed to be instituted.* There have been many

* While Mary was burning Protestants in England, not a single Protestant was executed in Ireland; and yet the terrors of that reign are, at this moment, one of the most operative causes of the exclusion of Irish Catholics.

cruel persecutions of Protestants by Catholic governments; and, therefore, I will confound time and place, and vote against the Irish, who live centuries after these persecutions, and in a totally different country. Doctor this, or Doctor that of the Catholic church has written a very violent and absurd pamphlet; therefore I will confound persons, and vote against the whole Irish Catholic church, which has neither sanctioned nor expressed any such opinions. I will continue the incapacities of men of this age, because some men, in distant ages, deserved ill of other men in distant ages. They shall expiate the crimes committed, before they were born, in a land they never saw; by individuals they never heard of. I will charge them with every act of folly which they have never sanctioned and cannot control. I will sacrifice space, time, and identity, to my zeal for the Protestant church. Now in the midst of all this violence, consider for a moment, how you are imposed upon by words, and what a serious violation of the rights of your fellow-creatures you are committing. Mr. Murphy lives in Limerick, and Mr. Murphy and his son are subjected to a thousand inconveniences and disadvantages, because they are Catholics. Murphy is a wealthy, honourable, excellent man; he ought to be in the corporation, he cannot get in because he is a Catholic. His son ought to be king's counsel for his talents, and his standing at the bar; he is prevented from reaching this dignity, because he is a Catholic. Why, what reasons do you hear for all this? because queen Mary, three hundred years before the natal day of Mr. Murphy, murdered Protestants in Smithfield; because Louis XIV. dragooned his Protestant subjects, when the predecessor of Murphy's predecessor was not in being; because men are confined in prison, in Madrid, twelve degrees more south than Mur-

phy has ever been in his life, all ages, all climates, are ransacked to perpetuate the slavery of Murphy, the ill-fated victim of political anachronisms.

Suppose a barrister, in defending a prisoner, were to say to the judge, "My lord, I humbly submit to your "lordship that this indictment against the prisoner cannot "stand good in law; and as the safety of a fellow-"creature is concerned, I request your lordship's patient "attention to my objections. In the first place, the in-"dictment does not pretend that the prisoner at the bar "is himself guilty of the offence, but that some persons "of the same religious sect as himself, are so; in whose "crime he cannot, (I submit,) by any possibility, be im-"plicated, as these criminal persons lived three hundred "years before the prisoner was born. In the next place, "my lord, the *venue* of several crimes imputed to the "prisoner is laid in countries, to which the jurisdiction of "this court does not extend; in France, Spain, and Italy, "where also the prisoner has never been; and as to the "argument used by my learned brother, that it is only "want of power, and not want of will, and that the pri-"soner *would* commit the crime *if* he *could*; I humbly "submit, that the custom of England has been to wait for "the overt act before pain and penalty are inflicted, and "that your lordship would pass a most doleful assize, if "punishment depended upon evil volition; if men were "subjected to legal incapacities from the mere suspicion "that they *would* do harm *if* they *could*; and if it were "admitted to be sufficient proof of this suspicion, that men "of this faith in distant ages, different countries, and under "different circumstances, had planned evil, and when "occasion offered, done it."

When are mercy and justice, in fact, ever to return upon the earth, if the sins of the elders are to be for ever visited on these who are not even their children? Should the first act of liberated Greece be to recommence the Trojan war? Are the French never to forget the Sicilian vespers; or the Americans the long war waged against their liberties? Is any rule wise, which may set the Irish to recollect what they have suffered?

The real danger is this, that you have four Irish Catholics for one Irish Protestant. That is the matter of fact, which none of us can help. Is it better policy to make friends, rather than enemies, of this immense population? I allow there is danger to the Protestant church, but much more danger, I am sure there is, in resisting than admitting the claims of the Catholics. If I might indulge in visions of glory, and imagine myself an Irish dean or bishop, with an immense ecclesiastical income; if the justice or injustice of the case were entirely indifferent to me, and my only object were to live at ease in my possessions, *there is no measure for which I should be so anxious as that of Catholic emancipation.* The Catholics are now extremely angry and discontented at being shut out from so many offices and honours: the incapacities to which they are subjected, thwart them in all their pursuits: they feel they are a degraded caste. The Protestant feels he is a privileged caste, and not only the Protestant gentleman feels this, but every Protestant servant feels it, and takes care that his Catholic fellow-servant shall perceive it. The difference between the two religions is an eternal source of enmity, ill-will, and hatred, and the Catholic remains in a state of permanent disaffection to the government under which he lives. I repeat that if I were a member of the Irish Church, I should be afraid of this posi-

tion of affairs. I should fear it in peace, on account of riot and insurrection, and in war, on account of rebellion. I should think that my greatest security consisted in removing all just cause of complaint from the Catholic society, in endearing them to the English constitution, by making them feel, as soon as possible, that they shared in its blessings. I should really think my tithes and my glebe, upon such a plan, worth twenty years' purchase more than under the present system. Suppose the Catholic layman were to think it an evil, that his own Church should be less splendidly endowed than that of the Protestant Church, whose population is so inferior; yet if he were free himself, and had nothing to complain of, he would not rush into rebellion and insurrection, merely to augment the income of his priest. At present you bind the laity and clergy in one common feeling of injustice; each feels for himself, and talks of the injuries of the other. The obvious consequence of Catholic emancipation would be to separate their interests. But another important consequence of Catholic emancipation would be to improve the condition of the clergy. Their chapels would be put in order, their incomes increased, and we should soon hear nothing more of the Catholic Church. If this measure were carried in March, I believe by the January following, the whole question would be as completely forgotten as the sweating sickness, and that nine Doctor Doyles, at the rate of thirty years to a Doyle, would pass away one after the other, before any human being heard another syllable on the subject. All men gradually yield to the comforts of a good income. Give the Irish archbishop £1200 per annum; the bishop £800, the priest £200, the coadjutor £100 per annum, and the cathedral of Dublin is almost as safe as the cathe-

dral of York.* This is the real secret of putting an end to the Catholic question; there is no other; but, remember, I am speaking of provision for the Catholic clergy after emancipation, not before. There is not an Irish clergyman of the Church of Rome who would touch one penny of the public money before the laity were restored to civil rights, and why not pay the Catholic clergy as well as the Presbyterian clergy? Ever since the year 1803, the Presbyterian clergy in the North of Ireland, have been paid by the government, and the grant is annually brought forward in parliament; and not only are the Presbyterians paid, but one or two other species of Protestant dissenters. The consequence has been loyalty and peace. This way of appeasing dissenters you may call expensive, but is there no expense in injustice? You have at this moment an army of 20,000 men in Ireland, horse, foot, and artillery, at an annual expense of a million and a half of money; about one-third part of the expense of the allowance to the Catholic clergy; and this army is so necessary, that the government dare not at this moment remove a single regiment, from Ireland. Abolish these absurd and disgraceful distinctions, and a few troops

* I say *almost*, because I hate to overstate an argument, and it is impossible to deny that there is danger to a Church, to which seven millions contribute largely, and in which six millions disbelieve: my argument merely is, that such a Church would be more safe, in proportion as it interfered less with the comforts and ease of its natural enemies, and rendered their position more desirable and agreeable. I firmly believe the toleration act to be quite as conducive to the security of the Church of England, as it is to the Dissenters. Perfect toleration and the abolition of every incapacity as a consequence of religious opinions, is not, what is commonly called, a receipt for innovation, but a receipt for the quiet, and permanence of every establishment which has the real good sense to adopt it.

of horse, to help the constables on fair-days, will be more than sufficient for the Catholic limb of the empire.

Now for a very few of the shameful misrepresentations circulated respecting the Irish Catholics, for I repeat again that we have nothing to do with Spanish or Italian, but with Irish Catholics: it is not true that the Irish Catholics refuse to circulate the Bible in English, on the contrary, they have in Ireland circulated several editions of the Scriptures in English. In the last year, the Catholic prelates prepared and put forth a stereotype edition of the Bible, of a small print and low price, to ensure its general circulation. They circulate the Bible with their own notes, and how, as Catholics, can they act otherwise? Are not our prelates and Bartlett's Buildings acting in the same manner? and must not all Churches, if they are consistent, act in the same manner? the Bibles Catholics quarrel with, are Protestant Bibles without notes, or Protestant Bibles with Protestant notes, and how can they do otherwise, without giving up their religion? They deny, upon oath, that the infallibility of the Pope is any necessary part of the Catholic faith. They, upon oath, declare that Catholic people are forbidden to worship images, and saints, and relics. They, upon oath, abjure the temporal power of the Pope, or his right to absolve any Catholic from his oath. They renounce, upon oath, all right to forfeited lands, and covenant, upon oath, not to destroy or plot against the Irish Protestant Church. What more can any man want, whom any thing will content?

Some people talk as if they were quite teazed and worried by the eternal clamours of the Catholics, but if you are eternally unjust, can you expect any thing more than to be eternally vexed by the victims of your injustice? You want all the luxury of oppression, without any of its inconvenience. I should think the Catholics very much to blame, if

they ever ceased to importune the legislature for justice, so long as they could find one single member of parliament who would advocate their cause.

The putting the matter to rest by an effort of the county of York, or by any decision of parliament against them, is utterly hopeless. Every year increases the Catholic population, and the Catholic wealth, and the Catholic claims, till you are caught in one of those political attitudes, to which all countries are occasionally exposed, in which you are utterly helpless, and must give way to their claims: and if you do it then, you will do it badly; you may call it an arrangement, but arrangements made at such times, are much like the bargains between an highwayman and a traveller, a pistol on one side, and a purse on the other: the rapid scramble of armed vigilance, and the unqualified surrender of helpless timidity. *If you think the thing must be done at some time or another, do it when you are calm and powerful, and when you need not do it.*

There are a set of high-spirited men who are very much afraid of being afraid; who cannot brook the idea of doing any thing from fear, and whose conversation is full of fire and sword, when any apprehension of resistance is alluded to; I have a perfect confidence in the high and unyielding spirit, and in the military courage of the English; and I have no doubt, but that many of the country gentlemen, who now call out No Popery, would fearlessly put themselves at the head of their embattled yeomanry, to controul the Irish Catholics. My objection to such courage is, that it would certainly be exercised unjustly, and probably exercised in vain. I should deprecate any rising of the Catholics as the most grievous misfortune which could happen to the empire and to themselves. They had

far better endure all they do endure, and a great deal worse, than try the experiment. *But if they do try it, you may depend upon it, they will do it at their own time, and not at yours.* They will not select a fortnight in the summer, during a profound peace, when corn and money abound, and when the Catholics of Europe are unconcerned spectators. If you make a resolution to be unjust, you must make another resolution to be always strong, always vigilant, and always rich; you must commit no blunders, exhibit no deficiencies, and meet with no misfortunes; you must present a square phalanx of impenetrable strength, for keen-eyed revenge is riding round your ranks; and if one heart falter, or one hand tremble, you are lost.

You may call all this threatening, I am sure I have no such absurd intention, but wish only, in sober sadness, to point out what appears to me to be the inevitable consequences of the conduct we pursue. If danger be not pointed out and insisted upon, how is it to be avoided? My firm belief is that England will be compelled to grant ignominiously, what she now refuses haughtily. Remember what happened respecting Ireland in the American war. In 1779, the Irish, whose trade was completely restricted by English laws, asked for some little relaxation, some liberty to export her own products, and to import the products of other countries; their petition was flung out of the House with the utmost disdain, and by an immense majority. In April 1782, 70,000 Irish volunteers were under arms, the representatives of 170 armed corps met at Ulster, and the English parliament (the lords and commons both on the same day and with only one dissentient voice, the ministers moving the question) were compelled, in the most disgraceful and precipitate manner, to acknowledge the complete independence of the Irish nation, *and nothing but the good*

sense and moderation of Grattan prevented the separation of the two crowns.

It is no part of my province to defend every error of the Catholic Church: I believe it has many errors, though I am sure these errors are grievously exaggerated and misrepresented. I should think it a vast accession to the happiness of mankind, if every Catholic in Europe were converted to the Protestant faith. The question is not, Whether there shall be Catholics, but the question (as they do exist and you cannot get rid of them) is, What are you to do with them? Are you to make men rebels because you cannot make them Protestants? and are you to endanger your state, because you cannot enlarge your Church? England is the ark of liberty: the English Church I believe to be one of the best establishments in the world; but what is to become of England, of its Church, its free institutions, and the beautiful political models it holds out to mankind, if Ireland should succeed in connecting itself with any other European power hostile to England? I join in the cry of No Popery, as justily as any man in the streets, who does not know whether the Pope lives in Cumberland or Westmoreland, but I know that it is impossible to keep down European popery, and European tyranny, without the assistance, or with the opposition, of Ireland. If you give the Irish their privileges, the spirit of the nation will overcome the spirit of the Church: they will cheerfully serve you against all enemies, and chant a *Te Deum* for your victories over all the Catholic armies of Europe. If it be true, as her enemies say, that the Roman Catholic Church is waging war all over Europe, against common sense, against public liberty; selling the people to kings and nobles, and labouring for the few against the many; all this is an additional reason why I would fortify England and Pro-

testantism by every concession to Ireland; why I should take care that our attention was not distracted, nor our strength wasted by internal dissension; why, I would not paralyze those arms which wield the sword of justice among the nations of the world, and lift up the buckler of safety. If the Catholic religion in Ireland is an abuse, you must tolerate that abuse, to prevent its extension, and tyranny over the rest of Europe. If you will take a long view instead of a confined view, and look generally to the increase of human happiness, *the best check upon the increase of Popery, the best security for the establishment of the Protestant Church is, that the British empire shall be preserved in a state of the greatest strength, union, and opulence.* My cry, then is, *No Popery;* therefore emancipate the Catholics, that they may not join with foreign Papists in time of war. *Church for ever;* therefore emancipate the Catholics, that they may not help to pull it down. *King for ever;* therefore emancipate the Catholics, that they may become his loyal subjects. *Great Britain for ever;* therefore emancipate the Catholics, that they may not put an end to its perpetuity. *Our government is essentially Protestant,* therefore, by emancipating the Catholics, give up a few circumstances which have nothing to do with the essence. *The Catholics are disguised enemies;* therefore, by emancipation, turn them into open friends. *They have a double allegiance,* therefore, by emancipation, make their allegiance to their King so grateful, that they will never confound it with the spiritual allegiance to their Pope. It is very difficult for electors, who are much occupied by other matters, to choose the right path amid the rage and fury of faction: but I give you one mark, *vote for a free altar;* give what the law compels you to give to the establishment; (that done,) no chains, no pri-

sons, no bonfires for a man's faith, and above all, no modern chains and prisons under the name of disqualifications and incapacities, which *are only the cruelty and tyranny of a more civilized age*; civil offices open to all, a Catholic or a Protestant alderman, a Moravian, or a Church of England, or a Wesleyan justice, *no oppression, no tyranny in belief: a free altar, an open road to heaven; no human insolence, no human narrowness, hallowed by the name of God.*

Every man in trade must have experienced the difficulty of getting in a bill from an unwilling paymaster. If you call in the morning, the gentleman is not up; if in the middle of the day, he is out; if in the evening, there is company. If you ask mildly, you are indifferent as to the time of payment; if you press, you are impertinent. No time and no manner can render such a message agreeable. So it is with the poor Catholics: their message is so disagreeable, that their time and manner can never be right. "Not "this session. Not *now:* on no account at the present "time; any other time than this." The great mass of the "Catholics are so torpid on the subject, that the question is "clearly confined to the ambition of the few, or the whole "Catholic population is so leagued together, that the object "is clearly to intimidate the mother country." In short, the Catholics want justice, and we do not mean to be just, and the most specious method of refusal is, to have it believed that they are refused from their own folly, and not from our fault.

What if O'Connell (a man certainly of extraordinary talents and eloquence) is sometimes violent and injudicious? What if O'Gorman or O'Sullivan have spoken ill of the reformation? Is a great stroke of national policy to depend on such childish considerations as these? If these

chains ought to remain, could I be induced to remove them by the chaste language and humble deportment of him who wears them? If they ought to be struck away, would I continue them, because my taste was offended by the coarse insolence of a goaded and injured captive? would I make that great measure to depend on the irritability of my own feelings, which ought to depend upon policy and justice? The more violent and the more absurd the conduct of the Catholics, the greater the wisdom of emancipation. If they were always governed by men of consummate prudence and moderation, your injustice in refusing would be the same, but your danger would be less. The levity and irritability of the Irish character, are pressing reasons why all just causes of provocation should be taken away, and those high passions enlisted in the service of the empire.

In talking of the spirit of the Papal empire, it is often argued that the *will* remains the same; that the Pontiff *would*, if he *could*, exercise the same influence in Europe; that the Catholic church *would*, if it *could*, tyrannize over the rights and opinions of mankind: but if the power is taken away, what signifies the will? If the Pope thunders in vain against the kingdoms of the earth, of what consequence is his disposition to thunder? If mankind are too enlightened and too humane to submit to the cruelties and hatreds of a Catholic priesthood: if the Protestants of the empire are sufficiently strong to resist it; why are we to alarm ourselves with the barren volition, unseconded by the requisite power? I hardly knew in what order or description of men I should choose to confide, if they *could* do as they *would*; the best security is, that the rest of the world will not let them do as they wish to do; and, having satisfied myself of this, I am not very careful about the rest.

Our government is called essentially Protestant; but if it be essentially Protestant in the distribution of offices, it should be essentially Protestant in the imposition of taxes. The treasury is open to all religions, parliament only to one. The taxgatherer is the most indulgent and liberal of human beings; he excludes no creed, imposes no articles; but counts Catholic cash, pockets Protestant paper; and is candidly and impartially oppressive to every description of the Christian world. Can any thing be more base than when you want the blood or the money of Catholics, to forget that they are Catholics, and to remember only that they are British subjects; and when they ask for the benefits of the British constitution, to remember only that they are Catholics, and to forget that they are British subjects.

No Popery was the cry of the great English Revolution, because the increase and prevalence of Popery in England, would, at that period, have rendered this island tributary to France. The Irish Catholics were, at that period, broken to pieces by the severity and military execution of Cromwell, and by the penal laws. They are since become a great and formidable people. The same dread of foreign influence, makes it now necessary that they should be restored to political rights. Must the friends of rational liberty join in a clamour against the Catholics now, because in a very different state of the world they excited that clamour a hundred years ago? I remember a house near Battersea bridge which caught fire, and there was a general cry of "Water, water." Ten years after, the Thames rose, and the people of the house were nearly drowned. Would it not have been rather singular to have said to the inhabitants, "I heard you calling for water ten years ago, why dont you call for it now?"

There are some men who think the present times so

incapable of forming any opinions, that they are always looking back to the wisdom of our ancestors. Now, as the Catholics sat in the English parliament to the reign of Charles II. and in the Irish parliament, I believe, till the reign of King William, the precedents are more in their favour than otherwise; and to replace them in parliament seems rather to return to, than to deviate from, the practice of our ancestors.

If the Catholics are priest-ridden, pamper the rider, and he will not stick so close; dont torment the animal ridden, and his violence will be less dangerous.

The strongest evidence against the Catholics is that of Colonel John Irvine; he puts every thing against them in the strongest light, and Colonel John (with great actual, though I am sure, with no intentional exaggeration) does not pretend to say there would be more than forty-six members returned for Ireland who were Catholics, but how many members are there in the house now returned by Catholics, and compelled, from the fear of losing their seats, to vote in favour of every measure which concerns the Catholic Church? The Catholic party, as the Colonel justly observes, was formed when you admitted them to the elective franchise. The Catholic party are increasing so much in boldness, that they will soon require of the members they return, to oppose generally any government hostile to Catholic emancipation, and they will turn out those who do not comply with this rule. If this is done, the phalanx so much dreaded from emancipation, is found at once without emancipation. This consequence of resistance to the Catholic claims is well worth the attention of those who make use of the cry of No Popery, as a mere political engine.

We are taunted with our prophetical spirit, because it is said by the advocates of the Catholic question, that

the thing must come to pass; that it is inevitable: our prophecy, however, is founded upon experience and common sense, and is nothing more than the application of the past to the future. In a few years' time, when the madness and wretchedness of war are forgotten, when the greater part of those who have lost in war, legs and arms, health and sons, have gone to their graves, the same scenes will be acted over again in the world. France, Spain, Russia, and America, will be upon us. The Catholics will watch their opportunity, and soon settle the question of Catholic emancipation. To suppose that any nation can go on in the midst of foreign wars, denying common justice to seven millions of men, in the heart of the empire, awakened to their situation, and watching for the critical moment of redress, does, I confess, appear to me to be the height of extravagance. To foretell the consequence of such causes, in my humble apprehension, demands no more of shrewdness, than to point out the probable results of leaving a lighted candle stuck up in an open barrel of gunpowder.

It is very difficult to make the mass of mankind believe that the state of things is ever to be otherwise than they have been accustomed to see it. I have very often heard old persons describe the impossibility of making any one believe that the American colonies could ever be separated from this country. It was always considered as an idle dream of discontented politicians, good enough to fill up the periods of a speech, but which no practical man, devoid of the spirit of party, considered to be within the limits of possibility. There was a period when the slightest concession would have satisfied the Americans; but all the world was in heroics; one set of gentlemen met at the Lamb, and another at the Lion: blood and treasure men, breathing

war, vengeance, and contempt; and in eight years afterwards, an awkward looking gentleman in plain clothes, walked up to the drawing-room of St. James's, in the midst of the gentlemen of the Lion and Lamb, and was introduced as the *ambassador from the United States of America.*

You must forgive me if I draw illustrations from common things, but in seeing swine driven, I have often thought of the Catholic question, and of the different methods of governing mankind. The object, one day, was to drive some of these animals along a path, to a field where they had not been before. The man could by no means succeed; instead of turning their faces to the north, and proceeding quietly along, they made for the east and west, rushed back to the south, and positively refused to advance: a reinforcement of rustics was called for, maids, children, neighbours, all helped; a general rushing, screaming, and roaring ensued; but the main object was not in the slightest degree advanced: after a long delay, we resolved (though an hour before we should have disdained such a compromise) to have recourse to Catholic emancipation; a little boy was sent before them with a handful of barley; a few grains were scattered in the path, and the bristly herd were speedily and safely conducted to the place of their destination. If, instead of putting lord Stowell out of breath with driving, compelling the duke of York to swear, and the chancellor to strike at them with the mace, lord Liverpool would condescend, in his graceful manner, to walk before the Catholic doctors with a basket of barley, what a deal of ink and blood would be saved to mankind.

Because the Catholics are intolerant, we will be intolerant; but did any body ever hear before that a government is to imitate the vices of its subjects? If the Irish were a rash,

violent, and intemperate race, are they to be treated with rashness, violence, and intemperance? If they were addicted to fraud and falsehood, are they to be treated by those who rule them, with fraud and falsehood? Are there to be perpetual races in error and vice between the people and the lords of the people? Is the supreme power always to find virtues among the people; never to teach them by example, or improve them by laws and institutions? Make all sects free, and let them learn the value of the blessing to others, by their own enjoyment of it; but if not, let them learn it by your vigilance and firm resistance to every thing intolerant. Toleration will then become a habit and a practice, ingrafted upon the manners of a people, when they find the law too strong for them, and that there is no use in being intolerant.

It is very true that the Catholics have a double allegiance, * but it is equally true that their second or spiritual allegiance has nothing to do with civil policy, and does not, in the most distant manner, interfere with their allegiance to the crown. What is meant by allegiance to the crown, is, I presume, obedience to acts of parliament, and a resistance to those who are constitutionally proclaimed to be the enemies of the country. I have seen and heard of no instance for this century and a half last past, where the spiritual sovereign has presumed to meddle with the affairs of the temporal sovereign. The Catholics deny him such power by the most solemn oaths which the wit of man can devise. In every war, the army

* The same double allegiance exists in every Catholic country in Europe. The spiritual head of the country among French, Spanish, and Austrian Catholics, is the Pope; the political head, the king or emperor.

and navy are full of Catholic officers and soldiers; and if their allegiance in temporal matters is unimpeachable and unimpeached, what matters to whom they choose to pay spiritual obedience, and to adopt as their guide in genuflexion and psalmody? Suppose these same Catholics were foolish enough to be governed by a set of Chinese moralists in their diet, this would be a third allegiance; and if they were regulated by Bramins in their dress, this would be a fourth allegiance; and if they received the directions of the Patriarch of the Greek Church, in educating their children, here is another allegiance: and as long as they fought, and paid taxes, and kept clear of the quarter sessions and assizes, what matters how many fanciful supremacies and frivolous allegiances they choose to manufacture or accumulate for themselves?

A great deal of time would be spared, if gentlemen, before they ordered their post-chaises, for a No-Popery meeting, would read the most elementary defence of these people, and inform themselves even of the rudiments of the question. If the Catholics meditate the resumption of the Catholic property, why do they purchase that which they know (if the fondest object of their political life succeed) must be taken away from them? Why is not an attempt made to purchase a quietus from the rebel who is watching the blessed revolutionary moment for regaining his possessions, and revelling in the unbounded sensuality of mealy and waxy enjoyments? But after all, who are the descendants of the rightful possessors? The estate belonged to the O'Rourkes, who were hanged, drawn, and quartered, in the time of Cromwell; true, but before that, it belonged to the O'Connors, who were hanged, drawn, and quartered in the time of Henry VII. The O'Sullivans have a still earlier plea of suspension, evisceration, and division. Who is the

rightful possessor of the estate? We forget that Catholic Ireland has been murdered three times over by its Protestant masters.'

Mild and genteel people do not like the idea of persecution, and are advocates for toleration; but then they think it no act of intolerance to deprive Catholics of political power. The history of all this is, that all men secretly like to punish others for not being of the same opinion with themselves; and that this sort of privation is the only species of persecution, of which the improved feeling and advanced cultivation of the age will admit. Fire and faggot, chains and stone walls have been clamoured away; nothing remains but to mortify a man's pride, and to limit his resources, and to set a mark upon him, by cutting him off from his fair share of political power. By this receipt, insolence is gratified, and humanity is not shocked. The gentlest Protestant can see, with dry eyes, Lord Stourton, excluded from parliament, though he would abominate the most distant idea of personal cruelty to Mr. Petre. This is only to say that he lives in the nineteenth, instead of the sixteenth century, and that he is as intolerant in religious matters as the state of manners existing in his age will permit. Is it not the same spirit which wounds the pride of a fellow-creature on account of his faith, or which casts his body into the flames? Are they any thing else but degrees and modifications of the same principle? The minds of these two men no more differ because they differ in their degrees of punishment, than their bodies differ, because one wore a doublet in the time of Mary, and the other wears a coat in the reign of George. I do not accuse them of intentional cruelty and injustice: I am sure there are very many excellent men who would be shocked if they could conceive

themselves to be guilty of any thing like cruelty; but they innocently give a wrong name to the bad spirit which is within them, and think they are tolerant, because they are not as intolerant as they could have been in other times, but cannot be now. The true spirit is to search after God and for another life with lowliness of heart; to fling down no man's altar, to punish no man's prayer; to heap no penalties and no pains on those solemn supplications which in divers tongues, and in varied forms, and in temples of a thousand shapes, but with one deep sense of human dependance, men pour forth to God.

It is completely untrue that the Catholic religion is what it was three centuries ago, or that it is unchangeable and unchanged. These are mere words, without the shadow of truth to support them. If the Pope were to address a bull to the kingdom of Ireland, excommunicating the duke of York, and cutting him off from the succession, for his Protestant effusion in the House of Lords, he would be laughed at as a lunatic in all the Catholic chapels in Dublin. The Catholics would not now burn Protestants as heretics. In many parts of Europe, Catholics and Protestants worship in one church. Catholics at eleven, Protestants at one; they sit in the same parliament, are elected to the same office, live together without hatred or friction, under equal laws. Who can see and know these things, and say that the Catholic religion is unchangeable and unchanged?

I have often endeavoured to reflect upon the causes which, from time to time, raised such a clamour against the Catholics; and I think the following are among the most conspicuous:

1. Historical recollections of the cruelties inflicted upon the Protestants.

2. Theological differences.

3. A belief that the Catholics are unfriendly to liberty.

4. That their morality is not good.

5. That they meditate the destruction of the Protestant church.

6. An unprincipled clamour by men, who have no sort of belief in the danger of emancipation, but who make use of No Popery as a political engine.

7. A mean and selfish spirit of denying to others the advantages we ourselves enjoy.

8. A vindictive spirit or love of punishing others, who offend our self-love by presuming on important points, to entertain opinions opposite to our own.

9. Stupid compliance with the opinions of the majority.

10. To these I must, in justice and candour add, as a tenth cause, a real apprehension on the part of honest and reasonable men, that it is dangerous to grant farther concessions to the Catholics.

To these various causes I shall make a short reply, in the order in which I have placed them.

1. Mere historical recollections are very miserable reasons for the continuation of penal and incapacitating laws, and one side has as much to recollect as the other.

2. The state has nothing to do with questions purely theological.

3. It is ill to say this in a country whose free institutions were founded by Catholics, and it is often said by men who care nothing about free institutions.

4. It is not true.

5. Make their situation so comfortable, that it will not be worth their while to attempt an enterprise so desperate.

6. This is an unfair political trick, because it is too dangerous, it is spoiling the table in order to win the game.

The 7th and 8th causes exercise a great share of influence in every act of intolerance. The 9th must, of course, comprehend the greatest number.

10. Of the existence of such a class of No Poperists as this, it would be the heighth of injustice to doubt, but I confess it excites in me a very great degree of astonishment.

Suppose, after a severe struggle, you put the Irish down, if they are mad and foolish enough to recur to open violence; yet are the retarded industry, and the misapplied energies of so many millions of men to go for nothing? I sit possible to forget all the wealth, peace, and happiness which are to be sacrificed for twenty years to come, to these pestilential and disgraceful squabbles? Is there no horror in looking forward to a long period in which men, instead of ploughing and spinning, will curse and hate, and burn and murder?

There seems to me a sort of injustice, and impropriety in our deciding at all upon the Catholic question. It should be left to those Irish Protestants whose shutters are bullet proof; whose dinner-table is regularly spread with knife, fork, and cocked pistol; salt-cellar and powder-flask. Let the opinion of those persons be resorted to, who sleep in sheet iron night-caps; who have fought so often and so nobly before their scullery door, and defended the parlour passage as bravely as Leonidas defended the pass of of Thermopylæ. The Irish Protestant members see and know the state of their own country. Let their votes decide * the case. We are quiet and at peace; our homes may be defended with a feather, and our doors fastened

* A great majority of Irish members voted for Catholic emancipation.

with a pin; and as ignorant of what armed and insulted Popery is, as we are of the state of New Zealand, we pretend to regulate by our clamours, the religious factions of Ireland.

It is a very pleasant thing to trample upon Catholics, and it is also a very pleasant thing to have an immense number of pheasants running about your woods; but there come thirty or forty poachers in the night, and fight with thirty or forty game preservers; some are killed, some fractured, some scalped, some maimed for life. Poachers are caught up and hanged; a vast body of hatred and revenge accumulates in the neighbourhood of the great man; and he says the "sport is not worth the candle. The preservation of game is a very agreeable thing but I will not sacrifice the happiness of my life to it. This amusement, like any other, may be purchased too dearly." So it is with the Irish Protestants, they are finding out that Catholic exclusion may be purchased too dearly. Maimed cattle, fired ricks, threatening letters, barricadoed houses, to endure all this, is to purchase superiority at too dear a rate, and this is the inevitable state of two parties, the one of whom are unwilling to relinquish their ancient monopoly of power, while the other party have, at length, discovered their strength, and are determined to be free.

Gentlemen (with the best intentions, I am sure) meet together in a county town, and enter into resolutions that no farther concessions are to be made to the Catholics; but if you will not let them into parliament, why not allow them to be king's counsel, or serjeants at law? Why are they excluded by law from some corporations in Ireland, and admissible, though not admitted, to others? I think before such general resolutions of exclusion are adopted,

and the rights and happiness of so many millions of people disposed of, it would be decent and proper to obtain some tolerable information of what the present state of the Irish Catholics is, and of the vast number of insignificant offices from which they are excluded. Keep them from parliament if you think it right, but do not, therefore, exclude them from any thing else, to which you think Catholics may be fairly admitted without danger, and as to their content or discontent, there can be no sort of reason why discontent should not be lessened, though it cannot be removed.

You are shocked by the present violence and abuse used in the Irish Association: by whom are they driven to it? and whom are you to thank for it? Is there a hope left to them? Is any term of endurance alluded to? any scope or boundary to their patience? Is the minister waiting for opportunities? Have they reason to believe that they are wished well to by the greatest of the great? Have they brighter hopes in another reign? Is there one clear spot in the horizon? any thing that you have left to them, but that disgust, hatred, and despair, which breaking out into wild eloquence, and acting upon a wild people, are preparing every day a mass of treason and disaffection, which may shake this empire to its very centre: and you may laugh at Daniel O'Connel, and treat him with contempt, and turn his metaphors into ridicule; but Daniel has, after all, a great deal of real and powerful eloquence; and a strange sort of misgiving sometimes comes across me, that Daniel and the Doctor are not quite so great fools as many most respectable country clergymen believe them to be.

You talk of their abuse of the Reformation, but is their any end to the obloquy and abuse with which the Catholics are, upon every point, and from every quarter, assailed?

Is there any one folly, vice, or crime, which the blind fury of Protestants does not lavish upon them? And do you suppose all this is to be heard in silence, and without retaliation? Abuse, as much as you please, if you are going to emancipate, but if you intend to do nothing for the Catholics but to call them names, you must not be out of temper, if you receive a few ugly appellations in return.

The great object of men who love party better than truth, is to have it believed that the Catholics alone have been persecutors; but what can be more flagrantly unjust than to take our notions of history only from the conquering, and triumphant party? If you think the Catholics have not their Book of Martyrs as well as the Protestants, take the following enumeration of some of their most learned, and careful writers.

The whole number of Catholics who have suffered death in England, for the exercise of the Roman Catholic religion, since the Reformation:

Henry VII.	59
Elizabeth	204
James I.	25
Charles I. and Commonwealth	23
Charles II.	8
Total	319

Henry VIII. with consummate impartiality, burnt three Protestants, and hanged four Catholics for different errors in religion, on the same day, and at the same place. Elizabeth burnt two Dutch Anabaptists for some theological tenets, July 22, 1575, Fox the martyrologist vainly pleading with the queen in their favour. In 1579, the same

Protestant queen cut off the hand of Stubbs, the author of a tract against popish connexion, of Singleton, the printer, and Page, the disperser, of the book. Camden saw it done. Warburton properly says it exceeds in cruelty any thing done by Charles I. On the 4th of June, Mr. Elias Thacker and Mr. John Capper, two ministers of the Brownist persuasion, were hanged at St. Edmond's-bury, for dispersing books against the Common Prayer. With respect to the great part of the Catholic victims, the law was fully and literally executed; after being hanged up, they were cut down alive, dismembered, ripped up, and their bowels burnt before their faces; after which, they were beheaded and quartered. The time employed in this butchery was very considerable, and, in one instance, lasted more than half an hour.

The uncandid excuse for all this is, that the greater part of these men were put to death for political, not for religious crimes. That is, a law is first past, making it high treason for a priest to exercise his function in England, and so when he is caught and burnt, this is not religious persecution, but an offence against the state. We are, I hope, all too busy to need any answer to such childish, uncandid reasoning as this.

The total number of those who suffered capitally in the reign of Elizabeth, is stated by Dodd, in his Church History, * to be one hundred and ninety-nine; further in-

* The total number of sufferers in the reign of queen Mary, varies, I believe, from 200 in the Catholic to 280 in the Protestant accounts. I recommend all young men who wish to form some notion of what answer the Catholics have to make, to read Milner's 'Letters to a Prebendary,' and to follow the line of reading to which his references lead. They will then learn the importance of that sacred maxim, *Audi alteram partem.*

quiries by Milner made their number to be two hundred and four: fifteen of these were condemned for denying the queen's supremacy; one hundred and twenty-six for the exercise of priestly functions, and the others for being reconciled to the Catholic faith, or for aiding, and assisting priests. In this list, no person is included who was executed for any plot, real or imaginary, except eleven, who suffered for the pretended plot of Rheims; a plot, which Dr. Milner justly observes, was so daring a forgery, that even Camden allows the sufferers to have been political victims. Besides these, mention is made in the same work, of ninety Catholic priests, or laymen, who died in prison in the same reign. "About the same time," he says, "I find fifty gentlemen lying prisoners in York Castle; *most of them perished there*, of vermin, famine, hunger, thirst, damp, dirt, fever, whipping, and broken hearts, the inseparable circumstances of prisons in those days. These were every week, for a twelve-month together, dragged by main force to hear the established service performed in the castle chapel." The Catholics were frequently, during the reign of Elizabeth, tortured in the most dreadful manner. In order to extort answers from father Campian, he was laid on the rack, and his limbs stretched a little, to shew him, as the executioner termed it, what the rack was. He persisted in his refusal; then for several days successively, the torture was increased, and on the last two occasions, he was so cruelly rent and torn, that he expected to expire under the torment. While under the rack, he called continually upon God. In the reign of the Protestant Edward VI. Joan Knell was burnt to death, and the year after, George Parry was burnt also. In 1575, two Protestants, Peterson and Turwort, (as before stated,) were burnt to death by Elizabeth. In 1589, under the same queen, Lewes, a Protestant,

was burnt to death at Norwich, where Francis Kett was also burnt for religious opinions in 1589, under the same great queen: who, in 1591, hanged the Protestant Hacket for heresy, in Cheapside, and put to death Greenwood, Barrow, and Penry, for being *Brownists*. Southwell, a Catholic, was racked ten times during the reign of this sister of bloody queen Mary. In 1592, Mrs. Ward was hanged, drawn, and quartered for assisting a Catholic priest to escape in a box. Mrs. Lyne suffered the same punishment for harbouring a priest; and in 1586, Mrs. Clitheroe, who was accused of relieving a priest, and refused to plead, was prest to death in York Castle; a sharp stone being placed underneath her back.

Have not Protestants persecuted both Catholics, and their fellow Protestants in Germany, Switzerland, Geneva, France, Holland, Sweden, and England? Look to the atrocious punishment of Leighton under Laud, for writing against prelacy; first, his ear was cut off, then his nose slit; then the other ear cut off, then whipped, then whipped again. Look to the horrible cruelties exercised by the Protestant Episcopalians on the *Scottish Presbyterians*, in the reign of Charles II. of whom 8000 are said to have perished in that persecution. Persecutions of Protestants by Protestants, are amply detailed by Chandler, in his History of Persecution; by Neale, in his History of the Puritans; by Laing, in his History of Scotland; by Penn, in his Life of Fox; and in Brandt's History of the Reformation in the Low Countries; which furnishes many very terrible cases of the sufferings of the Anabaptists and Remonstrants. In 1560, the parliament of Scotland decreed, at one and the same time, the establishment of Calvinism, and the punishment of death against the ancient religion: "With such indecent haste (says Robertson) did the very

persons who had just escaped ecclesiastical tyranny, proceed to imitate their example." Nothing can be so absurd as to suppose, that in barbarous ages, the excesses were all committed by one religious party, and none by the other. The Huguenots of France burnt churches, and hung priests wherever they found them. Froumenteau, one of their own writers, confesses, that in the single province of Dauphiny, they killed two hundred and twenty priests, and one hundred and twelve friars. In the Low Countries, wherever Vandemerk, and Sonoi, lieutenants of the prince of Orange, carried their arms, they uniformly put to death, and in cold blood, all the priests, and religious they could lay their hands on. The Protestant Servetus was put to death by the Protestants of Geneva, for denying the doctrine of the Trinity, as the Protestant Gentilis was, on the same score, by those of Berne; add to these, Felix Mans, Rotman, and Barnevald. Of Servetus, Melancthon, the mildest of men, declared that he deserved to have his bowels pulled out, and his body torn to pieces. The last fires of persecution which were lighted in England, were by Protestants. Bartholomew Legate, an Arian, was burnt by order of king James in Smithfield, on the 18th of March, 1612; on the 11th of April, in the same year, Edward Weightman was burnt at Litchfield, by order of the Protestant bishop of Litchfield and Coventry; and this man was, *I believe*, the last person who was burnt in England for heresy. There was another condemned to the fire for the same heresy, but as pity was excited by the constancy of these sufferers, it was thought better to allow him to linger on a miserable life in Newgate. Fuller, who wrote in the reign of Charles II., and was a zealous Church of England man, speaking of the burnings in question, says, "It may appear that God was well pleased with them."

"There are, however, grievous faults on both sides; and as there are a set of men, who, not content with retaliating upon Protestants, deny the persecuting spirit of the Catholics, I would ask them what they think of the following code, drawn up by the French Catholics against the French Protestants, and carried into execution for one hundred years, and as late as the year 1765, and not repealed till 1782?

"Any Protestant clergyman remaining in France three "days, without coming to the Catholic worship, to be "punished with death. If a Protestant sends his son to a "Protestant schoolmaster for education, he is to forfeit 250 "livres a-month, and the schoolmaster who receives him, 50 "livres. If they sent their children to any seminary abroad, "they were to forfeit 2000 livres, and the child so sent, "became incapable of possessing property in France. To "celebrate Protestant worship, exposed the clergyman to a "fine of 2800 livres. The fine to a Protestant for hearing "it, was 1300 livres. If any Protestant denied the au- "thority of the Pope in France, his goods were seized for "the first offence, and he was hanged for the second. If "any common prayer-book, or book of Protestant worship "be found in the possession of any Protestant, he shall for- "feit 20 livres for the first offence, 40 livres for the second, "and shall be imprisoned at pleasure for the third. Any "person bringing from beyond sea, or selling any Protes- "tant books of worship, to forfeit 100 livres. Any ma- "gistrates may search Protestant houses for such articles. "Any person, required by a magistrate to take an oath "against the Protestant religion, and refusing, to be com- "mitted to prison, and, if he afterwards refuse again, to suf- "fer forfeiture of goods. Any person sending any money "over sea to the support of a Protestant seminary, to forfeit

"his goods, and be imprisoned at the king's pleasure."
"Any person going over sea for Protestant education, to
"forfeit goods, and lands for life. The vessel to be for-
"feited which conveyed any Protestant woman, or child
"over sea, without the king's licence. Any person con-
"verting another to the Protestant religion, to be put
"to death. Death to any Protestant priest to come
"into France; death to the person who receives him; for-
"feiture of goods, and imprisonment to send money for the
"relief of any Protestant clergyman: large rewards for
"discovering a Protestant parson. Every Protestant shall
"cause his child, within one month after birth, to be bap-
"tised by a Catholic priest, under a penalty of 2000 livres.
"Protestants were fined 4000 livres a-month for being absent
"from Catholic worship, were disabled from holding offices
"and employments, from keeping arms in their houses, from
"maintaining suits at law, from being guardians, from prac-
"tising in law or physic, and from holding offices, civil or
"military. They were forbidden (bravo, Louis XIV.) to
"travel more than five miles from home without licence,
"under pain of forfeiting all their goods, and they might
"not come to court under pain of 2000 livres. A married
"Protestant woman, when convicted of being of that per-
"suasion, was liable to forfeit two-thirds of her jointure:
"she could not be executrix to her husband, nor have any
"part of his goods; and during her marriage, she might
"be kept in prison, unless her husband redeemed her at the
"rate of 200 livres a-month, or the third part of his lands.
"Protestants, convicted of being such, were, within three
"months after their conviction, either to submit, and re-
"nounce their religion, or, if required by four magistrates,
"to abjure the realm, and if they did not depart, or depart-
"ing returned, were to suffer death. All Protestants were

"required, under the most tremendous penalties, to swear "that they considered the Pope as the head of the Church. "If they refused to take this oath, which might be tendered "at pleasure by any two magistrates, they could not act as "advocates, procureurs, or notaries public. Any Protestant "taking any office, civil or military, was compelled to abjure "the Protestant religion; to declare his belief in the doc- "trine of transubstantiation, and to take the Roman Catho- "lic sacrament within six months, under the penalty of "10,000 livres. Any person professing the Protestant "religion, and educated in the same, was required, in six "months after the age of sixteen, to declare the Pope to be "the head of the Church; to declare his belief in transub- "stantiation, and that the invocation of saints was according "to the doctrine of the Christian religion; failing this, he "could not hold, possess, or inherit landed property; his "lands were given to the nearest Catholic relation. Many "taxes were doubled upon Protestants. Protestants keep- "ing schools, were imprisoned for life, and all Protestants "were forbidden to come within ten miles of Paris or "Versailles. *If any Protestant had a horse worth more* "than 100 livres, any Catholic magistrate might take it "away, and search the house of the said Protestant for "arms." Is not this a monstrous code of persecution? Is it any wonder, after reading such a spirit of tyranny as is here exhibited, that the tendencies of the Catholic religion should be suspected, and that the cry of No Popery should be a rallying sign to every Protestant nation in Europe?.....Forgive, gentle reader, and gentle elector, the trifling deception I have practised upon you. *This* code is not a code made by French Catholics against French Protestants, but by English and Irish Protestants, against English and Irish Catholics; I have given it to

you, for the most part, as it is set forth in Burn's 'Justice' of 1780: it was acted upon in the beginning of the last king's reign, and was notorious through the whole of Europe, as the most cruel and atrocious system of persecution ever instituted by one religious persuasion against another. Of this code, Mr Burke says, that "it is a truly barbarous system; where all the parts are an outrage on the laws of humanity, and the rights of nature: it is a system of elaborate contrivance, as well fitted for the oppression, imprisonment, and degradation of a people, and the debasement of human nature itself, as ever proceeded from the perverted ingenuity of man." It is in vain to say that these cruelties were laws of political safety; such has always been the plea for all religious cruelties: by such arguments the Catholics defended the massacre of St. Bartholomew, and the burnings of Mary.

With such facts as these, the cry of persecution will not do: it is unwise to make it, because it can be so very easily, and so very justly retorted. The business is, to forget and forgive, to kiss and be friends, and to say nothing of what has past; which is to the credit of neither party. There have been atrocious cruelties, and abominable acts of injustice on both sides. It is not worth while to contend who shed the most blood, or whether, (as Dr. Sturgess objects to Dr. Milner,) death by fire is worse than hanging or starving in prison. As far as England itself is concerned, the balance may be better preserved. Cruelties exercised upon the Irish go for nothing in English reasoning; but if it were not uncandid and vexatious to consider Irish persecutions * as part of the case, I firmly believe there

* Thurloe writes to Henry Cromwell to *catch* up some thousand Irish boys, to send to the colonies. Henry writes back he has done so; and desires to know whether his highness would choose as many

have been two Catholics put to death for religious causes in Great Britain, for one Protestant who has suffered; not that this proves much, because the Catholics have enjoyed the sovereign power for so few years between this period and the Reformation, and certainly it must be allowed that they were not inactive during that period, in the great work of pious combustion.

It is, however, some extenuation of the Catholic excesses, that their religion was the religion of the whole of Europe, when the innovation began. They were the ancient lords and masters of faith, before men introduced the practice of thinking for themselves, in these matters. The Protestants have less excuse, who claimed the right of innovation, and then turned round upon other Protestants who acted upon the same principle, or upon Catholics who remained as they were, and visited them with all the cruelties from which they had themselves so recently escaped.

Both sides, as they acquired power, abused it; and both learnt from their sufferings, the great secret of toleration and forbearance. If you wish to do good in the times in which you live, contribute your efforts to perfect *this grand work.* I have not the most distant intention to interfere in local politics, but I advise you never to give a vote to any man, whose only title for asking it is, that he means to continue the punishments, privations, and incapacities of any human beings, merely because they worship God in the way they think best: the man who asks for your vote upon such a plea, is, *probably*, a very weak man, who believes in his own bad reasoning, or a very artful man, who is laughing

girls to be caught up: and he adds "doubtless it is a business in which God will appear." Suppose *bloody queen Mary had* caught up and transported three or four thousand Protestant boys and girls from the three ridings of Yorkshire!!!!!

at you for your credulity: at all events, he is a man who knowingly or unknowingly, exposes his country to the greatest dangers, and hands down to posterity all the foolish opinions and all the bad passions which prevail in those times in which he happens to live. Such a man is so far from being that friend to the Church which he pretends to be, that he declares its safety cannot be reconciled with the franchises of the people; for what worse can be said of the Church of England than this, that wherever it is judged necessary to give it a legal establishment, it becomes necessary to deprive the body of the people, if they adhere to their old opinions, of their liberties, and of all their free customs, and to reduce them to a state of civil servitude?

SYDNEY SMITH.

ERRATA.

Page 7, for *suspendant*, read *suspended*.

Page 13, for "*about one-third of the expense of the allowance*, read "*about one-third of this sum would be the expense, &c.*

Page 11, for *four Catholics*, read *six Catholics*.

Page 15, for *armed vigilance*, read *armed violence*.

(Thomas Wilson and Sons, High-Ousegate, York.)

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A. f. t. o.
252.Coo/pra
67988
Vol. II
Practical and Familiar
Sermons
Binding 9/9/65 - 3 SEP 1966
DIGITIZED
22 SEP 2015

Digitized with financial assistance from the
Government of Maharashtra
on 02 January, 2016